Document No. 4599

BOSTON REDEVELOPMENT AUTHORITY

March 21, 1985

DEVELOPMENT IMPACT PROJECT PLAN

AND

SECOND AMENDMENT TO AND RESTATEMENT OF DEVELOPMENT PLAN

FOR

THE BRIGHAM AND WOMEN'S HOSPITAL, INC. ("BWH")

PLANNED DEVELOPMENT AREA NO. 10
Bounded Southerly by Huntington Avenue and Francis Street, Westerly by Binney Street, Northerly by land of Dana Farber Cancer Institute, Inc., land of The Children's Hospital Corporation and by Shattuck Street, and Easterly by land of President and Fellows of Harvard College,
Boston, Massachusetts.

Background and History:

A Development Plan for Planned Development Area No. 10, dated October 6, 1976 was adopted by the Boston Redevelopment Authority (the "Authority") on October 21, 1976 (the "Development Plan"). The Development Plan relates to a parcel of land in the Roxbury section of Boston, Massachusetts, bounded generally as described above and specifically as described below under "Site".

The Development Plan permitted the construction of a hospital bed tower, a laboratory building, and an ambulatory care center (Ambulatory Services Building I or "ASB I"). On the basis of that Development Plan, the Boston Zoning Commission, on October 22, 1976, adopted Map Amendment No. 145 to the Boston Zoning Code (the "Zoning Code"), creating an H-3-D subdistrict with respect to the Planned Development Area (the "PDA") referred to in the Development Plan. Subsequently BWH obtained from the Boston Board of Appeal (the "Board") Exceptions from the Zoning Code, consistent with the Development Plan, relating to the new hospital, at the corner of Francis and Binney Streets, in the "New Hospital Area" part of the PDA. The bed tower, laboratory building and ASB I were constructed and occupied in due course.

Development Plan was amended by Amendment to Development Plan for Planned Development Area No. 10 by the BRA on January 21, 1982 (the "1982 Amendment"):

(1) to straighten the division line between the New Hospital Area and the Old Peter Bent Area (both

entirely within the PDA) by removing the jog near Francis Street;

(2) to create two new lots in the Old Peter Bent Area to be known as the "ASB II Area" and the "Research Building Area", with the remainder of the Old Peter Bent Area to be known as the "Remaining Old Peter Bent Area"; and

(3) to permit the construction of two new buildings in the Old Peter Bent Area, namely a former version of Ambulatory Services Building II to be erected adjacent to ASB I, with access via Francis Street, and the Research Building to be constructed to the northeast of ASB II.

BWH obtained from the Board exceptions from the Zoning Code, consistent with the 1982 Amendment. Construction commenced on the Research Building pursuant to those exceptions and is expected to be completed in early 1985. BWH did not commence construction of the original version of ASB II as contemplated and the exceptions for it have lapsed.

A modified version of ASB II was the subject of a "Draft Environmental Impact Report for Ambulatory Services Building II and AHC Research Building" prepared by HMM Associates, Inc., which was approved by the Secretary of Environmental Affairs (the "Secretary") on March 5, 1980. On November 30, 1981, BWH notified the Secretary of changes in the project, mostly relating to the Research Building. The Secretary found that those changes had no significant environmental impacts. The plans for ASB II described below ("ASB II") are for a version of ASB II with fewer stories, having a different design and configuration with respect to the land within the PDA on which it is proposed to be constructed and with respect to the surrounding buildings, and include an atrium, entrance lobby and parking garage (together, the "Garage/Lobby"). BWH notified the Secretary of these changes on February 5, 1985 and the Secretary found that those changes had no significant environmental impacts.

To allow BWH to construct (i) ASB II (as described below) and (ii) the Garage/Lobby, consisting of an atrium, entrance lobby and a 240± space underground parking garage to serve patients and visitors, and for employees' use during off-peak hours only, the Development Plan is hereby further amended and restated to read as follows. This Development Impact Project Plan and Second Amendment to and Restatement of Development Plan restates and amends the Development Plan and the 1982 Amendment for ease of reference so that the Development Plan and the 1982 Amendment need not be read separately from this Second Amendment.

Developer and Owner: The Brigham and Women's Hospital, Inc. (formerly Affiliated Hospitals Center, Inc.).

List of Plans: The following plans are incorporated herein by reference:

1. Plans by Sasaki Associates, Inc., as follows:

   a. BRA-1, dated 6/30/76, revised 10/1/76, AHC Area Site Plan, scale 1" = 50'.

   b. BRA-1A, dated 10/1/76, Landscape Site Plan, scale 1/16" = 1'

2. Plans by Bertrand Goldberg Associates, all, except g, at a scale of 1/16" = 1', as follows:

   a. BRA-2, dated 7/1/76, Plan Plaza Level +1, revised 10/6/76;

   b. BRA-3, dated 7/1/76, Elevation South-Francis Street, revised 9/1/76;

   c. BRA-4, dated 7/1/76, revised 9/1/76, Elevation North - Shattuck Street;

   d. BRA-5, dated 7/1/76, revised 9/1/76, Elevation West - Binney Street;

   e. BRA-6, dated 7/1/76, revised 9/1/76, Project Section - Transverse;

   f. BRA-7, dated 7/1/76, revised 9/1/76, Project Section - Longitudinal; and

   g. BRA-8, dated 10/1/76, Prespective Sketch and Details, not to scale.

3. Plan by Whitman & Howard, Inc., entitled Plan of Land in Boston, Mass. (Roxbury District), Scale 1" = 50', dated 12/11/75.

4. Set of plans entitled "Brigham and Women's Hospital Ambulatory II/Parking Garage P.D.A. Application Dated January 31, 1985", prepared by Kaplan/McLaughlin/Diaz and Tsoi/Kobus & Associates, as follows:

Sheet No.	Sheet Title	Scale	Latest Revision Date
A-1	Aerial Perspective of Ambulatory II and Garage	-	2/19/85
A-2	Ambulatory II/Garage Campus Site Plan	1" = 40'0"	2/19/85
A-3	Ambulatory Services Building II and Garage-Lobby Site Plan	1/16" = 1'0"	3/14/85
A-4	Ambulatory II Level-1 Floor Plan	1/8" = 1'0"	2/19/85
A-5	Ambulatory II Level One Floor Plan	1/8" = 1'0"	1/31/85
A-6	Ambulatory II Level Two Floor Plan	1/8" = 1'0"	1/31/85
A-7	Ambulatory II Level Three Floor Plan	1/8" = 1'0"	1/31/85
A-8	Ambulatory II Roof/Penthouse Floor Plan	1/8" = 1'0"	1/31/85
A-9	Parking Garage Level D Floor Plan	1/8" = 1'0"	3/14/85
A-10	Parking Garage Level C Floor Plan	1/8" = 1'0"	3/14/85
A-11	Parking Garage Level B Floor Plan	1/8" = 1'0"	3/14/85
A-12	Parking Garage Level A Floor Plan	1/8" = 1'0"	3/14/85
A-13	Garage Lobby	1/8" = 1'0"	2/19/85
A-14	Exterior Elevations	1/8" = 1'0"	2/19/85
A-15	Ambulatory II and Garage/Lobby Building Section	Not to scale	2/19/85
A-16	Interior Elevations of Atrium	1/8" = 1'0"	1/31/85

5. Set of plans entitled "BWH Research Bldg., BRA - PDA Drawings", prepared by Bertrand Goldberg Associates, as follows:

A-2 Site Plan, Scale: 1/8" = 1', dated 4/1/80, last revised 4/9/81, as amended by A-3 Site Plan, Scale: 1/8" = 1', dated 8/25/81, last revised 12/2/81;

A-5 Ground Floor Plan, Scale: 1/8" = 1', dated 8/25/81;

A-7 First Floor Plan, Scale: 1/8" = 1', dated 4/1/80, last revised 4/9/81;

A-9 West Elevation, Scale: 1/16" = 1', dated 8/25/81;

A-10 East Elevation, Scale: 1/16" = 1', dated 8/25/81, last revised 10/20/81;

A-11 North & South Elevations, Scale: 1/16" = 1', dated 8/25/81, last revised 10/20/81;

A-12 Building Sections, Scale: 1/16" = 1', dated 8/25/81.

Anticipated Increase in Number of Employees as a Result of ASB II and the GARAGE/LOBBY: Because the ASB II primarily involves replacement of existing, obsolete hospital facilities the only anticipated increase in the number of permanent employees is 10 additional facilities operations personnel for ASB II and 4 parking attendants for the Garage. It is estimated that approximately 130 construction-related jobs will be generated by construction of ASB II and Garage/Lobby. BWH will formulate a voluntary employment opportunity plan which, recognizing that the ASB II and the Garage/Lobby construction will be a union project, will provide for BWH's good faith efforts to achieve a goal that 50% of the employment opportunities created by ASB II and the Garage/Lobby will be made available to Boston residents.

Development Impact Project Exaction: No zoning exception is to be granted for ASB II and the Garage/Lobby unless BWH has entered into an agreement with the Boston Redevelopment Authority and the Neighborhood Housing Trust, or if such Trust has not been established at the time of the execution of such agreement, the Boston Redevelopment Authority, acting on behalf of said Trust, for the payment of a Development Impact Project Exaction. Said exaction shall be based on the number of square feet of gross floor area as follows:

ASB II and Lobby	104,451
Less 100,000 sq.ft. threshold exemption	-100,000
	4,451 sq. ft.

If BWH elects to satisfy the responsibility for said exaction by money payments, payments to said Trust or its fiduciary shall be paid in twelve equal annual installments,

the first installment due upon the issuance of a Certificate of Occupancy for the first component of the building, or twenty-four months after the issuance of the Building Permit for said component. The payment shall be one-twelfth of $5.00 per square foot of gross floor area, for 12 years. (The Garage square footage is excludable under Article 26 of the Zoning Code.)

If the Hospital shall elect to satisfy the responsibility for said exaction by contributing to the creation of housing units for occupancy exclusively by low and moderate income residents of the City of Boston, the Hospital shall submit a proposal in writing to the Authority on or before the earlier of the issuance of a Certificate of Occupancy or twenty-four (24) months after the granting of the building permit for the Project, describing the number, location, cost, and design of the housing units. Such proposal shall satisfy the Housing Creation Exaction requirement set forth in subparagraph 3(b) of Section 26-1 of Article 26, and shall provide for the creation of housing units at a cost at least equal to the amount set forth in the preceding paragraph hereof. Such proposal shall be subject to approval by the Authority after public notice and hearing.

Site

A parcel of land on the northerly side of Francis Street in the Roxbury District of the City of Boston bounded southerly by Huntington Avenue and Francis Street, westerly by Binney Street; northerly by land of Dana Farber Cancer Institute, Inc., land of The Children's Hospital Corporation and by Shattuck Street; and easterly by land of the President and Fellows of Harvard College. Said parcel contains 8.86 acres, and is shown by plan BRA-1 and by the plan described in paragraph 3 on page 3 above, by Whitman and Howard, as corrected to include 4,029 square feet in existing Shattuck Street, a private way. A metes and bounds description is contained in Appendix A.1/

Because of financing considerations, the parcel, was treated as though subdivided into two parcels in 1976, the "New Hospital Area" at the westerly end of the property, containing 3.42 acres and more fully described in Appendix A 2/, and the "Old Peter Bent Area" containing the balance of the former Peter Bent Brigham Hospital property (5.44 acres).

The entire parcel lies in an H-3 zoning district which is an apartment district with a floor area ratio of 3.0.

The following changes were made to the parcel as described above:

1. An easement of ninety (90) square feet was taken by eminent domain in 1979 from the Old Peter Bent Area for Huntington Avenue improvements.

2. The boundary between the New Hospital Area and the Old Peter Bent Area has been straightened by the 1982 Amendment to the Development Plan, adding 862 square feet to the Old Peter Bent Area and subtracting the same amount from the New Hospital Area.

The following additional changes are now made:

Four parcels are created in the Old Peter Bent Area; those parcels are shown on the plan entitled "A-2 Ambulatory II/Garage Campus Site Plan" and in part on the plan entitled "A-3 Ambulatory Services Building II and Garage-Lobby Site Plan" listed in paragraph 4 above. One of these is called the "ASB II Area", another is called the "Research Building Area". The remainder of the Old Peter Bent Area to the north of the ASB II Area and to the west of the Research Building Area is called the "Remaining Old Peter Bent Hospital Area - 1" and the remainder of the Old Peter Bent Area to the east of the Research Building Area and to the east of the ASB II Area is called the "Remaining Old Peter Bent Hospital Area - 2". These parcels are more fully described in Appendices 3-6. Reference to any of said four areas shall be to them as described in those appendices.

A. Permitted Uses

A1. Hospital not providing custodial care for drug addicts or mentally ill or mentally deficient persons, and the following accessory uses: clinics, professional offices, scientific research and teaching laboratories, parking, the keeping of laboratory animals, and incidental uses and services ordinarily found in connection with the above uses (such as gift shop, restaurant and snack bar, outpatient pharmacy and the like) for the convenience of patients, visitors and staff. The same uses will be permitted in the Old Peter Bent Area except that in-patient care is restricted to the New Hospital Area. The accessory uses of scientific research and teaching laboratories and the keeping of laboratory animals are to be accessory not only to the main hospital use but also to the Harvard Medical School, which is to lease or own space in the Research Building on the Research Building Area.

B. Proposed Location and Appearance of Structures

B1. New Hospital Area: A new hospital complex consists of a 16-story bed tower accommodating 680 beds

(replacement for existing obsolete facilities of the hospitals which merged to form Developer); a two-story L-shaped laboratory and administration building that is raised one story above grade, lying west and south of the bed tower; a three-story ambulatory care center to the east of the tower; and two below grade levels beneath the entire complex containing basic hospital functions. The location and appearance of these buildings shall be as shown by Plans BRA-1 through BRA-8. The exterior building material is concrete.

B2. Old Peter Bent Area: The structures in the Old Peter Bent Area shall remain in location and appearance as they are now (except as provided below). They may from time to time be repaired or renovated, but any new construction, in the form of new buildings or extensions of existing buildings, shall require amendment of this Development Plan, after notice and public hearing.

B3. The following structures may be constructed in the Old Peter Bent Area, as exceptions to paragraph B2.

(a) Ambulatory Services Building II (ASB II), a 2-story building above grade (with another level partially below grade and another level entirely below grade) which faces Francis Street, will contain offices for doctors associated with BWH, hospital based services and support services. Most of Wards C,D, and E will be demolished for the construction of ASB II.

(b) Research Building, a 16-story building (looking from Shattuck Street), and one below grade level, which faces Shattuck Street and will contain laboratories for anesthesia, surgery, pathology, immunology, orthopedic, radiology, biophysics, genetics and other research, and areas for laboratory animals. The Metal Accounting Building, a metal shed and a portion of the pike were demolished for the construction of the Research Building.

(c) Parking garage, entrance lobby and atrium (Garage/Lobby), a parking garage containing 4 levels of underground parking, with a two-way entrance/exit ramp providing access thereto, a single-story grade level entrance lobby and atrium, with mezzanine level, containing a waiting area and coffee shop or small cafe for patients, visitors, and employees, and serving as a passage to ASB II, the pike and the Garage. One sign on a pylon approximately 4 feet wide and

12 feet high identifying the facility, to be located in front of the 6-story Medical Research Building on the Remaining Old Peter Bent Hospital Area - 2 so as to be visible from Francis Street and appropriate signs located in the plaza area to direct traffic and indicate the entrance to the Garage, all subject to design review by the BRA. The Garage/Lobby will face Francis Street. Most of Wards C, D and E will be demolished for the construction of the Garage/Lobby.

The location and appearance of the above structures shall be as shown by the above-listed plans (paragraphs 4 & 5).

C. Open Spaces and Landscaping

C1. In the New Hospital Area, open spaces and landscaping shall be as shown by plans BRA-1 and BRA-1A, with trees and other plantings to be maintained and replaced as necessary.

C2. In the ASB II Area and the Research Building Area, open spaces and landscaping shall be shown by plans entitled "A-2 Ambulatory II/Garage Campus Site Plan" and "A-3 Ambulatory Services Building II and Garage-Lobby Site Plan" (ASB II and Garage/Lobby) listed in paragraph 4 and A-2 Site Plan (Research Building) listed in paragraph 5, with trees and other plantings to be maintained and replaced as necessary. In the remaining Old Peter Bent Hospital Area - 1 and the Remaining Old Peter Bent Hospital Area - 2, open spaces shall be as shown on the plan entitled "A-2 Ambulatory II/Garage Campus Site Plan" listed in paragraph 4 above, except that existing open space may be used for the possible widening of Francis Street.

D. Density

D1. The floor area ratios for and within the Planned Development Area shall not exceed the following limits:

PDA as a whole - 3.7

New Hospital Area - 5.6

ASB II Area - 3.7

Research Building Area - 9.4

Remaining Old Peter Bent Hospital Area - 1 - 2.1*

Remaining Old Peter Bent Hospital Area - 2 - 1.6*

BWH is pledged to a good faith effort to arrange its planning so that other future changes, if any, in the PDA will result in an F.A.R. for the entire PDA of not in excess of 3.0, exclusive of the floor area of the Garage.

E. Proposed Traffic Circulation

E1. Non-emergency traffic enters the New Hospital Area at the main entrance on Francis Street, passes through it on a roadway running under the raised laboratory and administration building, and exits onto Binney Street or Shattuck Street. The latter, which is a private way, was extended, by BWH, to connect to Binney Street. Emergency vehicles enter from Francis Street on a roadway abutting the west side of the Ambulatory Care building and exit onto Shattuck Street. It shall be a policy of BWH to discourage the use of sirens by emergency vehicles on Francis Street. Pedestrian and vehicular movements to and through the New Hospital Area are shown on plan BRA-1.

E2. Vehicular access for dropping off passengers to ASB II and the Lobby shall be from Francis Street via a driveway and drop-off plaza shown on the plan entitled "A-3 Ambulatory Services Building II and Garage-Lobby Site Plan" listed in paragraph 4 above. Vehicular access to and egress from the Garage shall be via a single, two-way ramp located in the western part of the drop-off plaza. Vehicular access to the Research Building shall be from Shattuck Street. The main pedestrian and vehicular entrance for Remaining Old Peter Bent Hospital Area - 2 shall be at the junction of Huntington Avenue and Francis Street, opposite Brigham Circle, while the main pedestrian and vehicular entrance for Remaining Old Peter Bent Hospital Area - 1 shall be from Shattuck Street, Shattuck Street Extension and the New Hospital Area.

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* These figures are approximate only, but in no event does the FAR of the Remaining Old Peter Bent Hospital Area-1 and the Remaining Old Peter Bent Hospital Area-2 combined exceed 1.7.

E3. Increased traffic on Francis Street may require the future widening of Francis Street between Binney Street and Huntington Avenue by no more than 10'. In the New Hospital Area the proposed conformation of the structures makes allowance for such widening as shown on Plans BRA-1 and BRA-2. In the ASB II Area the design similarly allows for such widening.

E4. For any such widening undertaken within the New Hospital Area, BWH shall bear the construction costs for any needed street improvements within the New Hospital Area in connection with such widening, and shall make no charge to the City of Boston for the surface easement for the widening area, provided the same leaves BWH with rights to subsurface structures under the future widening area, the particulars of which surface easement, including provision for a space under the surface, above the subsurface structures, shall be subject to written approval of the Division Engineer of the City's Public Works Department.

E5. With respect to the portion of such possible widening within the Old Peter Bent Area, BWH shall make no charge to the City of Boston for an easement needed for surface rights in the widening area, provided the same leaves BWH with rights to subsurface structures under the widening area, subject to similar approval of said Division Engineer. Further if BWH should redevelop any part of the Old Peter Bent Area abutting Francis Street, it will bear the construction costs for normal street improvements involved in widening Francis Street (by not more than 10 feet, as aforesaid) in front of the area involved. Nothing in this paragraph E5 shall be deemed to constitute advance approval by the Authority of any such redevelopment in the Old Peter Bent Area.

E6. Without reference to any possible redevelopment of the Old Peter Bent Area, if such a widening (i.e., not more than 10') is required within the Old Peter Bent Area as a result of an increase in traffic along Francis Street after occupancy of any part of the new hospital, BWH will bear the construction costs of curbing and paving within the widening area, at existing grades, but all other costs, including wall or other costs involved in preserving existing grades on BWH land immediately abutting the widening, will be borne by the City.

[Note: A surface easement and street widening, as referred to in paragraphs E3 through E6, occurred in 1982 in the New Hospital Area and in part of the ASB II Area.]

F. Parking Facilities

F1. Surface parking in the New Hospital Area, the Remaining Old Peter Bent Hospital Areas and in BWH's half (the southerly half) of Shattuck Street (a private way) adjoining Remaining Old Peter Bent Area - 2, totaling facilities for approximately 113 cars, will remain after construction of ASB II, the Garage/Lobby and the Research Building (although the 21 spaces for staff physician parking on Shattuck Street may be reduced or eliminated). Parking for approximately 240 automobiles, as well as motorcycles and bicycles will be provided in the Garage.

Parking facilities referred to in this paragraph F1 are subject to elimination if and to the extent required by a widening of Francis Street, if that should occur, and by reason of federal, state, or local laws, ordinances, or regulations.

F2. The Mission Park Project, so called, is to the south of the PDA, the northerly portion of which project is shown as "Mission Park Housing Project & Parking Facility" on plan BRA-1. Said project is in an area (hereinafter called "Mission Park") shown on a plan by Harry R. Feldman, Inc., dated September 9, 1974, revised September 29, 1975, entitled "Plan of Land Boston (Roxbury) Mass.", recorded at Suffolk Deeds at Book 8825, Page 198 (Lots 1 through 6).

BWH has leased the entire Mission Park Garage, with 1005 of the 1274 parking spaces reserved for BWH use, subject to provisions regarding use of spaces by Mission Park residential and office building tenants. The lease will expire on December 31, 2002.

F3. A service center and garage (hereinafter called the Servicenter) has been constructed at the westerly end of the block bounded by Brookline Avenue, Francis Street, Fenwood Road and Binney Street (extended). The garage is leased by Medical Area Service Corporation (MASCO) and provides parking primarily for visitors and outpatients of the MASCO member institutions, and especially BWH, open to the public, with some spaces reserved for monthly parkers. After construction of ASB II and the Research Building, at least 400 parking spaces will be available in the Servicenter, for turnover parking for the general public, and which MASCO has agreed to maintain on that basis for at least 5 years, (subject only to fire or other causes beyond MASCO's control).

F4. MASCO has made 130 parking spaces in the Servicenter available to BWH on an annual basis for employee parking. MASCO will renew this Agreement annually through 1989. After 1989, MASCO will review and renew this Agreement at five year intervals to the year 2009, unless and to the extent MASCO devotes the 130 spaces to turnover parking.

F5. Parking facilities outside the PDA, referred to in Paragraphs F2 through F4, are subject to elimination if and to the extent caused by causes beyond the control of BWH, provided such causes are set forth in the leases involved and are approved in advance by the Director of the Authority. If any facilities are eliminated pursuant to this paragraph F5, BWH will use its reasonable best efforts to lease from time to time substitute parking facilities in at least the same number as were eliminated so as to provide such facilities for a period ending no earlier than December 31, 2002, the location of any such facilities and the terms of any such alternative leasing arrangements to be subject to the approval of the Director of the Authority.

F6. The maximum occupancy of ASB II at any one time by physicians seeing patients shall be 110 (the identity of which 110 may vary at any given moment). It is anticipated that the total number of employees working in ASB II and the Garage/Lobby will be approximately 150, of which 14 are new employees as stated above on page 5. The maximum number of persons working in the Research Building at any one time shall be 850. If the maximum occupancy of either building is proposed to be exceeded, BWH shall notify the Authority. The staff of the Authority shall review whether parking facilities are adequate to accommodate the increase in occupancy, and report to the Authority, which may authorize one or more increases in occupancy.

G. Off Street Loading

G1. The materials handling for the New Hospital, ASB II and the Garage/Lobby and the buildings on the Remaining Old Peter Bent Hospital Areas will be from the MASCO Servicenter. Materials handling for the Research Building will be provided both from the MASCO Servicenter and via Shattuck Street by the two off-street loading bays in the Research Building, which will replace the present Shattuck Street loading bays. The Servicenter will handle most of the materials supplied to the Research Building. The Shattuck Street loading bays will be used to handle the laboratory animals and related materials, research equipment and supplies and waste disposal.

H. Access to Public Transportation

H1. The following facilities of the Massachusetts Bay Transportation Authority serve the site as follows:

Arborway Branch of the Green Line, running from Park Street to Forest Hills with a stop at Brigham Circle, at the entrance to the Old Peter Bent Area.

Riverside Branch of the Green Line, running from Lechmere Square, Cambridge, to Riverside Station, Auburndale, with a stop at Longwood, about one-half mile from the New Hospital Area.

Bus Route No. 60, running from Chestnut Hill, Newton, to Kenmore Square, with a stop on Brookline Avenue, about 500 feet from the New Hospital Area.

Bus Route 65, running from Brighton Center to Kenmore Square, with a stop on Brookline Avenue.

Bus Route 66, running from Dudley Station on the Orange Line to Union Square, Allston, with a stop at Brigham Circle.

Bus Route No. 47, running from City Hospital to Cambridge with stops on Longwood Avenue, about 600 feet from both areas of the site.

H2. In addition, the MBTA operates, under contract with the Town of Brookline, a minibus line which loops through Brookline and crosses over into the medical area, with a stop at Pilgrim and Francis Streets, about 800 feet from the New Hospital Area, and MASCO provides minibus service from Harvard Square.

I. Proposed Dimensions of Structures

I1. Structures in the New Hospital Area shall be as shown by plans BRA-2 through BRA-8.

I2. Structures in the Research Building Area and the ASB II Area shall be as shown on the plans described in paragraphs 4 and 5 above. Detailed dimensional information with respect to ASB II and the Garage/Lobby and the exceptions from the Zoning Code which will be sought therefor are described in Exhibit A hereto. Structures in the Remaining Old Peter Bent Hospital Area - 1 and in the Remaining Old Peter Bent Hospital Area - 2 shall remain, as to their dimensions, as they are now, subject to the provisions of paragraph B2. Delay or abandonment of ASB II and

the Garage/Lobby, if such should occur, will not be deemed to impair the zoning status of other parts of the PDA and the buildings thereon; provided, however, a further amendment to the Development Plan as amended by the Second Amendment would be required for construction of ASB II without the Garage/Lobby or for construction of the Garage/Lobby without ASB II.

J. Design Review

J1. In General: Materials and treatment of the buildings and open space, plus the size, location, design, color, and materials of exterior signs, will be subject to the Authority's design review process. Samples of exterior materials including poured-in-place and pre-cast concrete, glass, metal frames, soffit materials, railings, sidewalk pavers, driveway paving and any other exterior building materials visible to the public, shall be submitted to the Authority for approval by the Urban Design Department.

J2. With Respect to ASB II and the Garage/Lobby: Schematic drawings for ASB II and the Garage/Lobby, (the plans listed in paragraph 4 above) have been approved by the Authority. Further plans and specifications will be submitted to the Authority for approval in accordance with the "Design Review Procedures" of the Authority for the Development Approval Process, published in 1984. Review of further plans and specifications is limited to consideration of design refinements, new elements not present in previous submissions and conformity with previously approved submissions.

THE BRIGHAM AND WOMEN'S HOSPITAL, INC. ("BWH")
DEVELOPMENT IMPACT PROJECT PLAN
AND SECOND AMENDMENT TO AND RESTATEMENT OF THE
DEVELOPMENT PLAN
FOR PLANNED DEVELOPMENT
AREA NO. 10 (THE "SECOND AMENDMENT")

BWH AMBULATORY SERVICES BUILDING II ("ASB II")
AND PARKING GARAGE, ENTRANCE LOBBY
AND ATRIUM (together, the "Garage/Lobby")

MEMORANDUM ATTACHED TO EXHIBIT A,
ZONING DESCRIPTION AND CALCULATIONS

FLOOR AREA RATIO ("FAR") CALCULATIONS

Note: Unless indicated to the contrary, all numbers are in square feet and building square footages are per Kaplan/ McLaughlin/ Diaz submissions or previous PDA applications and Building Department filings and are after exclusions permitted under BZC for FAR purposes.

I. Land Areas

	New Hospital Area	Old Peter Bent Area	Total PDA
Gross Square Feet, (after deducting amount taken at Huntington Avenue and after adjusting for the 1982 straightening of the New Hospital Area easterly boundary).	147,500	238,516	386,016

II. Deductions for FAR purposes (same as used in 1976 and 1982):

	New Hospital Area	Old Peter Bent Area	Total PDA
Figures from above:	147,500	238,516	386,016
a) BWH's half Shattuck Street. Note the rest of BWH's half of Shattuck Street, abutting the Old Peter Bent Area, was never included in the PDA.	- 4,029	N/A	- 4,029
	143,471	238,516	381,987

b) Shattuck Street Extension and area to the north thereof.	- 10,160	N/A	- 10,160
	133,311	238,516	371,827
c) Widening of Francis Street (including the widening made in 1982 and a projected extension thereof to Brigham Circle).	- 3,400	- 5,701	- 9,101
	129,911	232,815	362,726

III. FAR Building Square Footages - Situation Prior to Second Amendment

All buildings in Old Peter Bent Area

- As of Original PDA Application	311,722
- Cath Scanner Building.	1,400
- Cath Scanner Building Extension. . . .	1,450
- Research Building.	152,650
- Buildings Demolished for Research Building - Metal Accounting Building, metal shed and portion of pike	- 4,000 ±
	463,222
New Hospital.	724,252
All Buildings in PDA.	1,187,474

IV. FAR Building Square Footage - ASB II . . 89,114 ±

V. FAR Building Square Footage - Garage/Lobby. . . . . 99,491 ±

VI. Demolished for ASB II and Garage/ Lobby - Complete demolition of Buildings C, D & E. . . . . 54,324 ±

VII. New FAR Building Square Footages

Whole PDA		Old Peter Bent Area
1,187,474	Situation Prior to Second Amendment*	463,222
+ 89,114 ±	ASB II	+ 89,114 ±

*Before demolition of Wards C, D and E.

Whole PDA		Old Peter Bent Area
+ 99,491 +	Garage/Lobby	+ 99,491 +
1,376,079		651,827
- 54,324 +	Demolitions (Wards C, D and E)	- 54,324 +
1,321,755 +		597,503 +

VIII. Division of Old Peter Bent Area (232,815) into Three Lots
Lot Areas - Situation Prior to Second Amendment

ASB II Area	39,384 +
Research Building Area	16,538 +
Remaining Old Peter Bent Area	176,893 +
Old Peter Bent Area	232,815 +

IX. Floor Area Ratios - Situations Prior to Second Amendment

1. $\frac{\text{All Buildings in PDA*}}{\text{All Land in PDA}} = \frac{1,187,474}{362,726} = 3.3$

2. $\frac{\text{New Hospital}}{\text{New Hospital Area}} = \frac{724,252}{129,911} = 5.6$

3. $\frac{\text{All Buildings in Old Peter Bent Area*}}{\text{Old Peter Bent Area}} = \frac{463,222}{232,815} = 2.0$

4. $\frac{\text{Research Building}}{\text{Research Building Area}} = \frac{152,650}{16,538} = 9.3$

X. Adjustment of Division of Old Peter Bent Area (232,815) into Four Lots per Second Amendment -

ASB II Area	51,873 +
Research Building Area	16,242 +
Remaining Old Peter Bent Hospital Area - 1	34,029 +
Remaining Old Peter Bent Hospital Area - 2	130,671 +
Old Peter Bent Area	232,815 +

*Before demolition of Wards C, D and E

XI. Floor Area Ratios - After adjustment of division of Old Peter Bent Area, completion of ASB II and Garage/Lobby and considering the ASB II Area, Research Building Area, Remaining Old Peter Bent Hospital Area-1, and Remaining Old Peter Bent Hospital Area-2 as separate lots

All Buildings now existing in PDA plus ASB II and Garage/ Lobby, and minus demolitions / Entire PDA	=	1,321,755 / 362,726	=	3.7
ASB II and Garage/Lobby / ASB II Area	=	188,605 / 51,873±	=	3.7
Research Building / Research Building Area	=	152,650 / 16,242±	=	9.4
All Buildings on Remaining Old Peter Bent Hospital Area-1 / Remaining Old Peter Bent Hospital Area-1	=	70,024* / 34,029±	=	2.1**
All Building on Remaining Old Peter Bent Hospital Area-2 / Remaining Old Peter Bent Hospital Area-2	=	199,882* / 130,671±	=	1.6**

XII. Summary of FAR violations as per the Second Amendment:

Zoning District imposes a 3.0 FAR. PDA Development Plan allows 3.5. Accordingly:

a) Construction of ASB II and Garage/Lobby cause a violation overall for the PDA. (3.7 as against the 3.5 allowed by exceptions granted in BZC-5580, 5582 and 5583).

b) When the ASB II Area is considered as its own lot there is a violation. (3.7 as against 3.0).

(Note: The exception granted in BZC-5580 and the PDA Plan as amended in 1982 allowed an FAR of 9.4 as to the Research Building and its Area).

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* This figure is approximate only. It is clear, however, that there is no F.A.R. violation on either Remaining Old Peter Bent Hospital Area-1 or Remaining Old Peter Bent Hospital Area-2.

** These figures are approximate only, but in no event will the FAR of the Remaining Old Peter Bent Hospital Area-1 and the Remaining Old Peter Bent Hospital Area-2 combined exceed 1.7.

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

Development Impact Project Plan and
Second Amendment to and Restatement of Development Plan
for Planned Development Area No. 10

Appendix A[1]

DESCRIPTION OF
PLANNED DEVELOPMENT AREA

A parcel of land on the northerly side of Francis Street in the Roxbury District of Boston, Suffolk County, Massachusetts, bounded and described as follows:

Commencing at the northeasterly corner of Francis and Binney Streets;

Thence by Binney Street, N 38° 00' 54" E, three hundred sixty-three (363) feet;

Thence by land now or formerly of Sidney Farber Cancer Center, Inc. in eight courses, as follows:

S 52° 00' 27" E, sixty-eight and 42/100 (68.42) feet;

S 37° 59' 32" W, 50/100 (.50) feet;

S 52° 00' 27" E, five and 02/100 (5.02) feet;

By a curved line to the left with a radius of ninety-three and 59/100 (93.59) feet, a distance of seven and 15/100 (7.15) feet;

N 79° 57' 38" W, three and 63/100 (3.63) feet;

By a curved line to the left with a radius of ninety-seven and 17/100 (97.17) feet, a distance of forty-four and 79/100 (44.79) feet;

N 83° 00' 18" E, thirty-two and 91/100 (32.91) feet; and

S 41° 10' 18" W, one and 86/100 (1.86) feet;

Thence by land now or formerly of The Children's Hospital Medical Center in two courses, as follows:

Continuing S 41° 10' 18" W, fifteen (15) feet; and

S 48° 51' 16" E, two hundred eighty and 75/100 (280.75) feet, the last one hundred sixty-one and 13/100 (161.13) feet of which is by the center-line of Shattuck Street;

Thence by other land of The Brigham & Women's Hospital, Inc. (being part of Shattuck Street) S 41° 05' 15" W, twenty-five (25) feet to the southerly line of Shattuck Street;

Thence by Shattuck Street a total distance of six hundred ninety-nine and 23/100 (699.23) feet;

Thence by land now or formerly of the President and Fellows of Harvard College, in seven courses, as follows:

S 23° 55' 44" W, sixty-six and 68/100 (66.68) feet;

S 66° 04' 16" E, one and 88/100 (1.88) feet;

S 22° 19' 50" W, seventy-four and 39/100 (74.39) feet;

N 67° 40' 10" W, two and 83/100 (2.83) feet;

S 22° 19' 50" W, one and 13/100 (1.13) feet;

N 67° 40' 10" W, 85/100 (.85) feet; and

S 22° 21' 50" W, one hundred ninety-six and 55/100 (196.55) feet;

Thence by the northerly corner of Huntington Avenue and Francis Street by a curved line to the right, having a radius of two hundred thirty-one and 85/100 (231.85) feet, a distance of two hundred fifteen and 01/100 (215.01) feet; and

Thence by Francis Street, in two courses, as follows:

N 50° 13' 24" W, eighty and 20/100 (80.20) feet; and

N 49° 07' 11" W, nine hundred four and 94/100 (904.94) feet to the point of beginning.

[Note: The Planned Development Area as described above includes (i) the area contained within the surface easement

along Francis Street given by The Brigham and Women's Hospital, Inc. to the City of Boston in 1982 (approximately 5,660 square feet), and (ii) the area taken by eminent domain in 1979 for Huntington Avenue improvements (approximately 90 square feet).]

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

Development Impact Project Plan and
Second Amendment to and Restatement of Development Plan
for Planned Development Area No. 10

Appendix A[2]

DESCRIPTION OF
NEW HOSPITAL AREA

A parcel of land on the northerly side of Francis Street in the Roxbury District of Boston, Suffolk County, Massachusetts, bounded and described as follows:

Commencing at the northeasterly corner of Francis and Binney Streets;

Thence by Binney Street, N 38° 00' 54" E, three hundred sixty-three (363) feet;

Thence by land now or formerly of Sidney Farber Cancer Center, Inc. in eight courses, as follows:

S 52° 00' 27" E, sixty-eight and 42/100 (68.42) feet;

S 37° 59' 32" W, 50/100 (.50) feet;

S 52° 00' 27" E, five and 02/100 (5.02) feet;

By a curved line to the left with a radius of ninety-three and 59/100 (93.59) feet, a distance of seven and 15/100 (7.15) feet;

N 79° 57' 38" W, three and 63/100 (3.63) feet;

By a curved line to the left with a radius of ninety-seven and 17/100 (97.17) feet, a distance of forty-four and 79/100 (44.79) feet;

N 83° 00' 18" E, thirty-two and 91/100 (32.91) feet; and

S 41° 10' 18" W, one and 86/100 (1.86) feet;

Thence by land now or formerly of The Children's Hospital Medical Center in two courses, as follows:

Continuing S 41° 10' 18" W, fifteen (15) feet; and

S 48° 51' 16" E, two hundred eighty and 75/100 (280.75) feet, the last one hundred sixty-one and 13/100 (161.13) feet of which is by the center-line of Shattuck Street;

Thence by other land of The Brigham & Women's Hospital, Inc. in five courses, as follows:

S 41° 05' 15" W, sixty-nine and 21/100 (69.21) feet, the first twenty-five (25) feet of which is by Shattuck Street (to the southerly side line thereof);

S 48° 54' 45" E, twenty-two (22) feet;

S 41° 05' 15" W, sixty and 57/100 (60.57) feet;

S 49° 07' 11" E, fifty-six and 05/100 (56.05) feet; and

S 40° 52' 49" W, one hundred ninety-seven and 00/100 (197.00) to Francis Street;

Thence by Francis Street N 49° 07' 11" W, four hundred and sixty and 00/100 (460.00) feet to the point of beginning.

[Note: This description of the New Hospital Area reflects the straightening of the jog along the easterly boundary of the New Hospital Area and the westerly boundary of the Old Peter Bent Area, which straightening was accomplished by the 1982 Amendment to the Development Plan. The New Hospital Area as described above includes the area contained within the surface easement given by The Brigham and Women's Hospital, Inc. to the City of Boston in 1982 (approximately 3400 square feet).]

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

Development Impact Project Plan
and Second Amendment To and Restatement
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Planned Development Area No. 10

Appendix A[3]

DESCRIPTION OF
ASB II AREA

A parcel of land on the northerly side of Francis Street in the Roxbury District of Boston, Suffolk County, Massachusetts, bounded and described as follows:

Commencing at a point on the northerly sideline of Francis Street, at the southeasterly corner of the New Hospital Area:

Thence by land now or formerly of The Brigham & Women's Hospital, Inc. in six courses, as follows:

N 40° 52' 49" E, one hundred ninety-five and 94/100 (195.94) feet;

S 49° 07' 11" E, one hundred fifty-three and 97/100 (153.97) feet;

N 40° 52' 49" E, four and 47/100 (4.47) feet;

S 53° 14' 23" E, one hundred six and 68/100 (106.68) feet;

S 25° 26' 04" W, sixty-seven and 07/100 (67.07) feet;

S 40° 52' 49" W, one hundred forty-two and 85/100 (142.85) feet;

Thence by Francis Street N 49° 07' 11" W, two hundred seventy-five and 99/100 (275.99) feet to the point of beginning.

[Note: The ASB II Area as described above includes the area contained within the surface easement along Francis Street given by The Brigham and Women's Hospital, Inc. to the City of Boston in 1982 (approximately 2260 square feet).]

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

Development Impact Project Plan
and Second Amendment To and Restatement
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Planned Development Area No. 10

Appendix A[4]

DESCRIPTION OF
RESEARCH BUILDING AREA

A parcel of land on the southerly side of Shattuck Street in the Roxbury District of Boston, Suffolk County, Massachusetts, bounded and described as follows:

Commencing at a point on the southerly side line of Shattuck Street, at the northeasterly corner of the Remaining Old Peter Bent Hospital Area-1:

Thence by the Shattuck Street sixty-nine and 39/100 (69.39) feet;

Thence by land now or formerly of The Brigham and Women's Hospital, Inc. in sixteen courses, as follows:

S 57° 29' 14" W, twenty-one and 44/100 (21.44) feet;

S 27° 29' 14" W, forty-seven and 26/100 (47.26) feet;

S 62° 25' 03" E, seven and 34/100 (7.34) feet;

S 27° 32' 09" W, sixty-two and 62/100 (62.62) feet;

S 62° 35' 09" E, twenty-seven and 67/100 (27.67) feet;

S 26° 37' 04" W, seventy-seven and 00/100 (77.00) feet;

N 63° 22' 56" W, thirty-five and 24/100 (35.24) feet;

S 40° 57' 30" W, ten and 71/100 (10.71) feet;

N 49° 02' 30" W, sixty-one and 12/100 (61.12) feet;

N 40° 52' 49" E, eight and 23/100 (8.23) feet;

N 25° 26' 04" E, sixty-seven and 07/100 (67.07) feet;

N 53° 14' 23" W, eleven and 82/100 (11.82) feet;

N 31° 54' 24" E, twenty-nine and 57/100 (29.57) feet;

S 58° 04' 03" E, three and 43/100 (3.43) feet;

N 32° 06' 27" E, seventy-nine and 53/100 (79.53) feet;

N 27° 33' 56" E, sixteen and 75/100 (16.75) feet to the point of beginning.

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

Development Impact Project Plan
and Second Amendment To and Restatement
of Development Plan for
Planned Development Area No. 10

Appendix A[5]

DESCRIPTION OF
REMAINING OLD PETER BENT HOSPITAL AREA-1

A parcel of land on the southerly side of Shattuck Street in the Roxbury District of Boston, Suffolk County, Massachusetts, bounded and described as follows:

Commencing at a point on the southerly side line of Shattuck Street, at the northeasterly corner of the New Hospital Area:

Thence by Shattuck Street in three courses, as follows:

S 48° 51' 16" E, one hundred fifteen and 47/100 (115.47) feet;

By a curved line to the left with a radius of five hundred twenty-nine and 35/100 (529.35) feet, a distance of one hundred twenty-five and 46/100 (125.46) feet; and

S 62° 26' 04" E, seventy-one and 05/100 (71.05) feet;

Thence by land now or formerly of The Brigham & Women's Hospital, Inc. in twelve courses, as follows:

S 27° 33' 56" W, sixteen and 75/100 (16.75) feet;

S 32° 06' 27" W, seventy-nine and 53/100 (79.53) feet;

N 58° 04' 03" W, three and 43/100 (3.43) feet;

S 31° 54' 24" W, twenty-nine and 57/100 (29.57) feet;

N 53° 14' 23" W, ninety-four and 86/100 (94.86) feet;

S 40° 52' 49" W, four and 47/100 (4.47) feet;

N 49° 07' 11" W, one hundred fifty-three and 97/100 (153.97) feet;

N 40° 52' 49" E, one and 06/100 (1.06) feet;

N 49° 07' 11" W, fifty-six and 05/100 (56.05) feet;

N 41° 05' 15" E, sixty and 57/100 (60.57) feet;

N 48° 54' 45" W, twenty-two and 00/100 (22.00) feet;

N 41° 05' 15" E, forty-four and 21/100 (44.21) feet to the point of beginning.

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

Development Impact Project Plan and
Second Amendment to and Restatement of Development Plan
for Planned Development Area No. 10

Appendix A[6]

DESCRIPTION OF
REMAINING OLD PETER BENT HOSPITAL AREA-2

A parcel of land on the southerly side of Shattuck Street and the northerly side of Francis Street in the Roxbury District of Boston, Suffolk County, Massachusetts, bounded and described as follows:

Commencing at a point on the southerly side of Shattuck Street, at the northeasterly corner of the Research Building Area:

Thence by Shattuck Street in three courses, as follows:

S 62° 26' 04" E, one hundred forty-four and 52/100 (144.52) feet;

By a curved line to the right with a radius of two hundred seven and 00/100 (207.00) feet, one hundred fifty-five and 87/100 (155.87) feet; and

S 62° 26' 04" E, seventeen and 40/100 (17.40) feet;

Thence by land now or formerly of President and Fellows of Harvard College in seven courses, as follows:

S 23° 55' 44" W, sixty-six and 68/100 (66.68) feet;

S 66° 04' 16" E, one and 88/100 (1.88) feet;

S 22° 19' 50" W, seventy-four and 39/100 (74.39) feet;

N 67° 40' 10" W, two and 83/100 (2.83) feet;

S 22° 19' 50" W, one and 13/100 (1.13) feet;

N 67° 40' 10" W, 85/100 (.85) feet; and

S 22° 21' 50" W, one hundred ninety-six and 55/100 (196.55) feet;

Thence by the northerly corner of Huntington Avenue and Francis Street by a curved line to the right, having a radius of two hundred thirty-one and 85/100 (231.85) feet, a distance of two hundred fifteen and 01/100 (215.01) feet;

Thence by Francis Street in two courses, as follows:

N 50° 13' 24" W, eighty and 20/100 (80.20) feet; and

N 49° 07' 11" W, one hundred sixty-eight and 95/100 (168.95) feet;

Thence by other land of The Brigham and Women's Hospital, Inc. in ten courses, as follows:

N 40° 52' 49" E, one hundred thirty-four and 62/100 (134.62) feet;

S 49° 02' 30" E, sixty-one and 12/100 (61.12) feet;

N 40° 57' 30" E, ten and 71/100 (10.71) feet;

S 63° 22' 56" E, thirty-five and 24/100 (35.24) feet;

N 26° 37' 04" E, seventy-seven and 00/100 (77.00) feet;

N 62° 35' 09" W, twenty-seven and 67/100 (27.67) feet;

N 27° 32' 09" E, sixty-two and 62/100 (62.62) feet;

N 62° 25' 03" W, seven and 34/100 (7.34) feet;

N 27° 29' 14" E, forty-seven and 26/100 (47.26) feet; and

N 57° 29' 14" E, twenty-one and 44/100 (21.44) feet to the point of beginning.

[Note: The Remaining Old Peter Bent Hospital Area-2 as described above includes the area taken by eminent domain in 1979 for Huntington Avenue improvements (approximately 90 square feet).]

DEVELOPMENT IMPACT PROJECT AGREEMENT
The Brigham and Women's Hospital, Inc.

AGREEMENT made this _____ day of _____, 1985 by and between the Boston Redevelopment Authority ("Authority"), acting for and on behalf of the City of Boston and the Neighborhood Housing Trust hereafter to be created, and The Brigham and Women's Hospital, Inc. ("Hospital"). As used herein "Hospital" shall mean The Brigham and Women's Hospital, Inc., its successors, assigns, and legal representatives.

WITNESSETH THAT:

WHEREAS, on October 21, 1976, the Authority approved a Development Plan for Planned Development Area (PDA) No. 10, for the construction of a hospital bed tower, a laboratory building, and an ambulatory care center, on the Hospital's campus, bounded generally by Binney, Francis and Shattuck Streets, and by Huntington Avenue, and by land of The Children's Hospital Corporation and President and Fellows of Harvard College; and

WHEREAS, the Zoning Commission of the City of Boston adopted a Map Amendment, effective on October 27, 1976, designating said land as a PDA; and

WHEREAS, on January 21, 1982, the Authority approved an Amendment to Development for Planned Development Area No. 10 for the construction of a new ambulatory services building and a bioscience research building in the PDA (the "1982 Amendment"); and

WHEREAS, the Zoning Commission of the City of Boston adopted a Map Amendment, effective on March 15, 1982 approving the 1982 Amendment; and

WHEREAS, the Boston Zoning Code was amended by said Commission to insert Article 26, respecting "Development Impact Projects", effective on December 29, 1983; and

WHEREAS, under said Article 26, a Development Impact Project Plan is required for certain types of projects of over 100,000 gross square feet; and

WHEREAS, on _____, 1985 the Authority approved a combined Development Impact Project Plan and Second Amendment to and Restatement of the Development Plan for Planned Development Area No. 10, which provide for the construction of a new ambulatory services building (the Hospital having abandoned its plans for the original ambulatory services building in 1982), together with an atrium and entrance lobby,

containing an aggregate of 104,451 gross square feet, and an underground parking garage for accessory parking (the "Project"); and

WHEREAS, the Hospital will petition the Board of Appeal of the City of Boston for exceptions to the Boston Zoning Code to permit said new construction; and

WHEREAS, said Board of Appeal cannot grant such exceptions unless an Agreement relating to a Development Impact Project Exaction has been signed by the Authority and the Hospital; and

WHEREAS, the Neighborhood Housing Trust referred to in said Article 26 of the Zoning Code, as amended, has not yet been created;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The Hospital will cause the Project Site to be developed in accordance with the Development Impact Project Plan and Second Amendment to and Restatement of the Development Plan for PDA No. 10 as approved by the Authority on _____, 1985, and with the drawings incorporated therein.

2. It is anticipated that the Project will generate approximately 130 construction-related jobs and approximately 14 permanent jobs. The Hospital will formulate a voluntary employment opportunity plan which, recognizing that the ASB II and Garage/Lobby construction will be a union project, will provide for the Hospital's good faith efforts to achieve a goal that 50% of the employment opportunities created in the Project will be made available to Boston residents.

3. The Hospital shall be responsible, in accordance with the terms of this Agreement, for the payment of a Development Impact Project Exaction, as such term is presently defined in Section 26-2(3) of the Zoning Code. The Hospital may, at its option, satisfy its obligation for the Development Impact Project Exaction, in whole or in part, by payment in accordance with Section 4 of this Agreement, or by contributing to the creation of housing units for occupancy exclusively by low and moderate income residents of the City of Boston, in accordance with Section 5 of this Agreement. The Development Impact Project Exaction will be in the amount of Twenty-Two Thousand, Two Hundred Fifty-Five Dollars ($22,255). The Development Impact Project Exaction is based on 4,451 square feet, the garage square footage and an aggregate of 100,000 square feet of ASB II and the Lobby being excludable under Article 26 of the Zoning Code.

4. If the Hospital elects to satisfy the responsibility for the Development Impact Project Exaction by money payments, then said Exaction shall be paid to the City of Boston acting by and through the Neighborhood Housing Trust, or if such Trust has not been created, to the Authority, in twelve equal annual payments of $1,854.58 per year. The first installment of the Development Impact Project Exaction payment shall be due and payable on the earlier of the issuance of a Certificate of Occupancy or twenty-four (24) months after the granting of the building permit for the Project. Subsequent installments shall be due without interest on the anniversary dates of the first payment. All payments shall be made in the manner specified by the Authority.

5. If the Hospital shall elect to contribute to the creation of housing units for occupancy exclusively by low and moderate income residents of the City of Boston, the Hospital shall submit a proposal in writing to the Authority on or before the earlier of the issuance of a Certificate of Occupancy or twenty-four (24) months after the granting of the building permit for the Project, describing the number, location, cost, and design of the housing units. Such proposal shall satisfy the Housing Creation Exaction requirement set forth in subparagraph 3(b) of Section 26-1 of Article 26, and shall provide for the creation of housing units at a cost at least equal to the amount set forth in Section 3 of this Agreement. Such proposal shall be subject to approval by the Authority after public notice and hearing.

6. If the gross floor area, as defined in Section 2-1(21) of the Boston Zoning Code, of the Project or a portion of the Project, as certified by the Project Architect based on final working drawings, differs from the gross floor area upon which the Development Impact Project Exaction is based, or if a Building Permit is not granted for any part of the Project, or if any part of the Project is abandoned prior to the commencement of substantial construction after a Building Permit is obtained, this Agreement shall be amended to adjust the amount of the Exaction in accordance with Article 26 of the Boston Zoning Code. For purposes of this section, demolition and surface site work shall not be considered substantial construction but the commencement of excavation, foundation and other work shall constitute substantial construction.

7. Any recalculation of the Development Impact Project Exaction rate by the Authority under Section 26-3 (2)(c) of the Zoning Code shall not affect the rate or amount of the Development Impact Project Exaction payable by the Hospital under this Agreement.

8. By signing this Agreement, the Authority acknowledges that the Hospital has satisfied the preconditions under Section 26-3 (2) of the Zoning Code for exceptions and approval of an amendment to the Development Plan for Planned Development Area No. 10.

9. If the City of Boston should hereafter impose, assess or levy any excise or tax upon the Project, the proceeds of which are dedicated, in whole or in part, to the establishment of a fund for a purpose substantially the same as the purpose recited in Section 26-1 of said Article 26, amounts payable hereunder by the Hospital shall be credited against such excise or tax; provided however, that if such crediting shall not be legally permissible to satisfy payment of such tax or excise, the obligations of the the Hospital hereunder shall, to the extent of the amount of such tax or excise, thereupon cease and be of no further force and effect.

10. The Authority agrees to look solely to the interest from time to time in ambulatory services building and atrium and entrance lobby that are the subject of this Agreement and are more fully described in the Development Impact Project Plan and Second Amendment to and Restatement of the Development Plan for this Project, whether owned by the Hospital or its successors or assigns, as the case may be, for any claim against the Hospital or its successors arising under this Agreement in connection with such buildings. Neither Hospital nor any manager, officer, director, agent, or employee of the Hospital or its successors and assigns shall ever be personally or individually liable under this Agreement; nor shall it or they ever be answerable or liable in any equitable proceeding or order beyond the extent of its or their interest in such buildings.

11. This Agreement shall be construed under Massachusetts law, sets forth the entire Agreement among the parties, may be amended or modified only by a writing signed by all parties, and is binding upon and inures to the benefit of the parties and their successors, assigns and legal representatives, notwithstanding any subsequent amendment or repeal (or court decision having the effect of amendment or repeal) to or of the "linkage" policies of the City as incorporated in Article 26 of the Boston Zoning Code.

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

By:_____
Title
Hereunto duly authorized

and further

VOTED: That it is hereby found and determined that the proposed project will not result in significant damage to, or impairment of the environment, and further that all practical and feasible measures have been taken and are being utilized to avoid or minimize damage to the environment.

and further

VOTED: That it is hereby found and determined in accordance with 950 Code of Massachusetts Regulations SS71.50 et seq. that there are no State Register Properties within the area of the proposed project's potential impact as defined in 950 C.M.R., S. 71.00.

and further

VOTED: That, pursuant to the provisions of Section 3-1A and Article 26 of the Boston Zoning Code as amended, the Boston Redevelopment Authority hereby approves said Development Impact Project Plan and Second Amendment to the Development Plan, which are embodied in a written document entitled "Development Impact Project Plan and Second Amendment to and Restatement of Development Plan for Planned Development Area No. 10", dated March 21, 1985, and in five series of plans listed starting on page 3 of said document. Said document and plans shall be on file in the office of the Director of Zoning of the Authority;

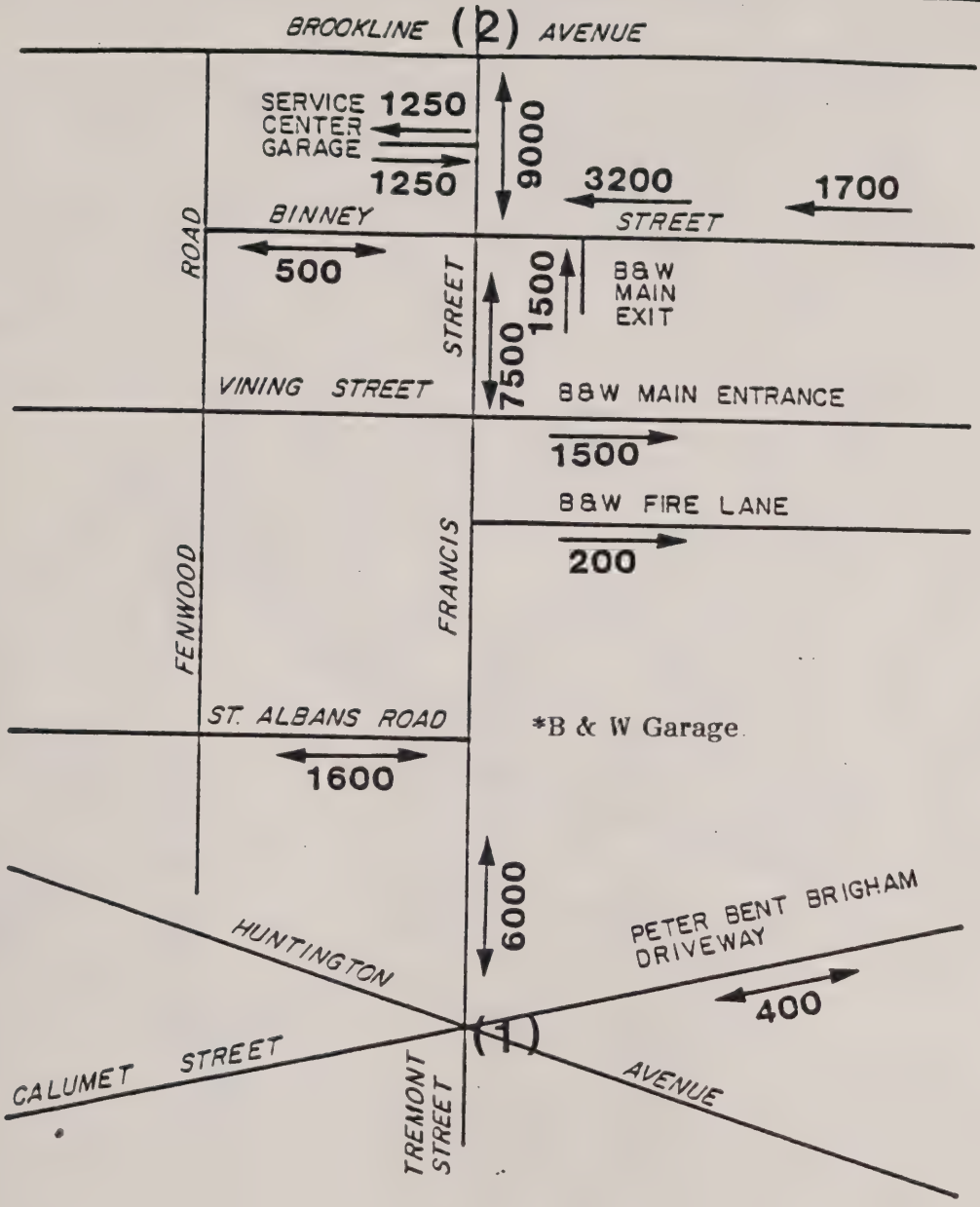
and further

VOTED: That the Authority hereby authorizes the Director to petition the Zoning Commission of the City of Boston for approval of the Second Amendment to the Development Plan for Planned Development Area No. 10; to execute in the name and on behalf of the Authority an amendment to the Cooperation Agreement and a Development Impact Project Agreement with the developer of said Planned Development Area; and to certify, in the name and on behalf of the Authority, that plans submitted to the Building Commissioner in connection with said Area are in conformity with said Development Plan as amended and Development Impact Project Plan and that the developer has entered into an agreement to be responsible for a Development Impact Project Exaction;

and further

VOTED: That in reference to petitions to be brought by The Brigham and Women's Hospital, Inc., for exceptions as listed in the Development Impact Project Plan and Second Amendment to the Development Plan for Planned Development Area No. 10, which are approved by the Authority today, the Boston Redevelopment Authority recommends approval provided that a Development Impact Project Agreement has been executed by

the Authority and the developer, that the Zoning Commission will have approved said amendment, and that plans be submitted to the Authority for design review to ensure that the plans are consistent with schematic drawings previously approved by the Authority and with said Development Plan as amended and Development Impact Project Plan; and the Authority hereby authorizes the Director to certify to the Board of Appeal that the exceptions requested are in conformity with said amended Development Plan and Development Impact Project Plan.



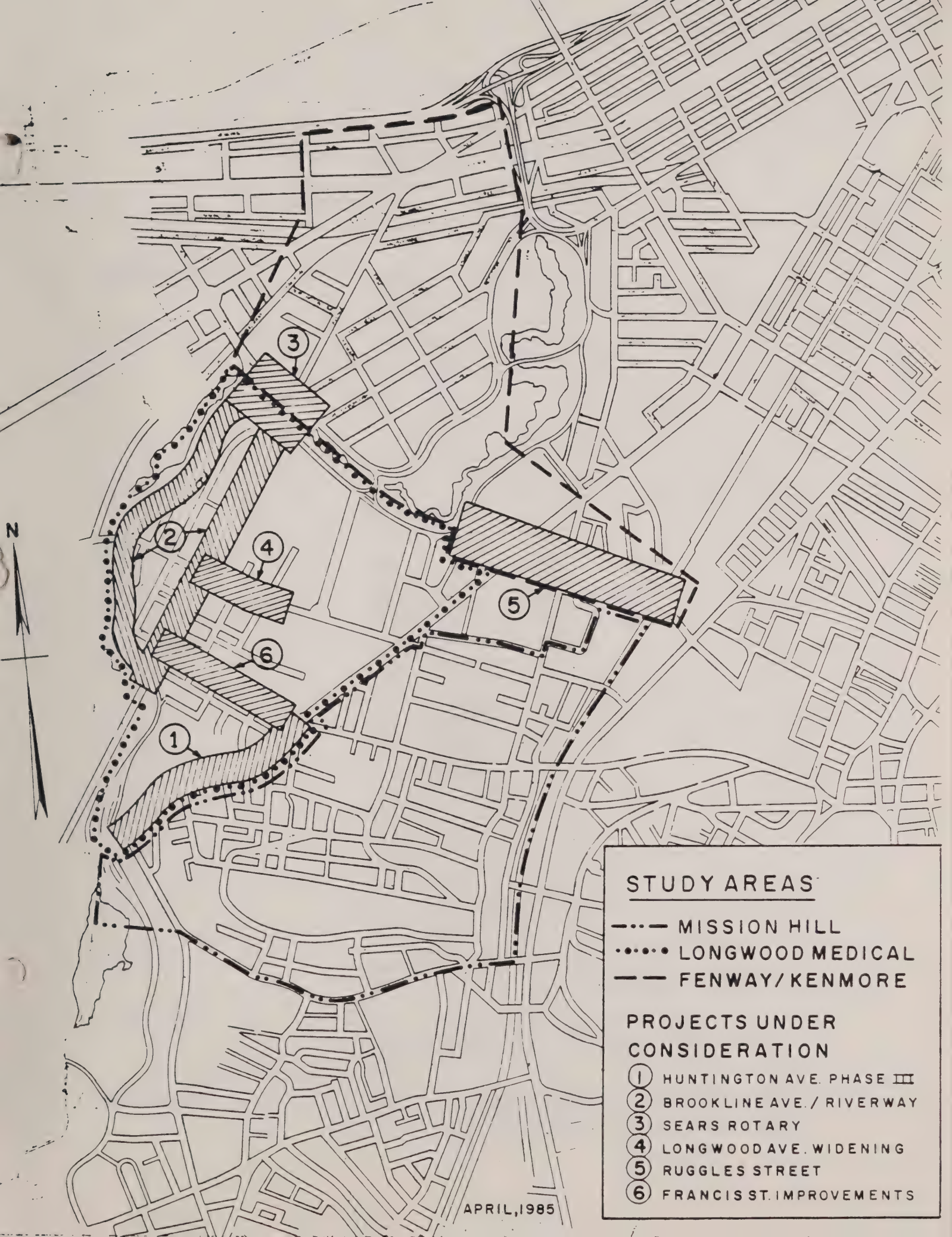
NOTES:

Estimated increase in peak hour volumes at Brigham Circle and Brookline Avenue inter-sections if one assumed that all the garage traffic was new to area.

1) 3% increase at Brigham Circle
2) 3% increase at Brookline Avenue

Peak hour map prepared by BRA

Brigham and Women's Hospital Traffic Access Study	**Existing Average Daily Traffic (ADT)**	Vanasse/Hangen Associates Boston, MA NOT TO SCALE FIG 1


N
3
2
4
5
6
1
STUDY AREAS
MISSION HILL
LONGWOOD MEDICAL
FENWAY/KENMORE
PROJECTS UNDER CONSIDERATION
1 HUNTINGTON AVE. PHASE III
2 BROOKLINE AVE./ RIVERWAY
3 SEARS ROTARY
4 LONGWOOD AVE. WIDENING
5 RUGGLES STREET
6 FRANCIS ST. IMPROVEMENTS
APRIL, 1985

FACT SHEET

Proposed Development Impact Project Plan and Second Amendment to and Restatement of Development Plan for Planned Development Area No. 10 The Brigham and Women's Hospital, Inc. Francis Street, Roxbury

ORIGINAL PLAN:

Planned Development Area No. 10 encompasses 8.86 acres of land bounded generally by Shattuck and Francis Streets between Binney Street and land of Harvard at Brigham Circle. The original plan provided for the erection of a 16-story bed tower, a 2-story L-shaped laboratory and administration building raised one story above grade and a three-story ambulatory care building to the east of the tower. These buildings are now occupied and are at the western end of the property in the "New Hospital Area".

1982 AMENDMENT TO THE PLAN:

The Original Plan was modified (1) to straighten the division line between the New Hospital Area and the Old Peter Bent Area (both entirely within the PDA) by removing the jog near Francis Street; (2) to create two new lots in the Old Peter Bent Area to be known as the "ASB II Area" and the "Research Building Area", with the remainder of the Old Peter Bent Area to be known as the "Remaining Old Peter Bent Area"; and (3) to permit the construction of two new buildings in the Old Peter Bent Area, namely Ambulatory Services Building II ("ASB II") to be erected adjacent to ASB I with access via Francis Street, and the Research Building to be constructed to the northeast of ASB II. Construction of the Research Building commenced and is expected to be completed in early 1985. BWH did not commence construction of ASB II as contemplated and the exceptions granted for it by the Board of Appeal have lapsed.

DEVELOPER:

The Brigham and Women's Hospital, Inc. (BWH); formerly Affiliated Hospitals Center, Inc.

ARCHITECT:

Kaplan/McLaughlin/Diaz, San Francisco, and Tsoi/Kobus & Associates, Cambridge.

ESTIMATED CONSTRUCTION COST: ASB II: $13,499,000; Parking garage, entrance lobby and atrium (together "Garage/Lobby"): $8,990,000. Plus interest and financing charges, which for ASB II and the Garage/Lobby are estimated to aggregate $1,200,000.

PROBABLE CONSTRUCTION SCHEDULE: About twenty-two months, commencing as soon as permits are obtained.

SITE: 8.86 acres of land in the Roxbury District of the City of Boston as described above. Because of financing considerations, the parcel will be treated as though subdivided into five lots: "New Hospital Area", "ASB II Area", "Research Building Area", "Remaining Old Peter Bent Hospital Area-1", and "Remaining Old Peter Bent Hospital Area-2", as shown on the attached reduced campus site plan and more fully described in Appendices 2-6 of the proposed Second Amendment. The entire area lies in an H-3-D zoning district.

DESCRIPTION OF STRUCTURES:

a. ASB II, redesigned to have 2 above-grade stories, plus one level partially below grade, and one level fully below grade, facing Francis Street, will contain offices for doctors associated with BWH, hospital based services and support services. Most of Wards C, D and E have been or will be demolished for the construction of ASB II.

b. An underground parking garage with a plaza-level entrance lobby (including coffee shop) and adjoining atrium is proposed to be erected adjacent to ASB II on Francis Street for use by patients and visitors to the hospital, and for use by hospital employees during off-peak hours only. Four levels of underground parking for an aggregate of 240± cars, as well as parking for motorcycles and bicycles. Access

via a two-way ramp located in the plaza area, with a single curb cut to Francis Street. Most of Wards C, D and E have been or will be demolished for the Garage/Lobby.

DENSITY:

The floor area ratio for the PDA as a whole is not to exceed 3.7, distributed as follows:

Research Building Area:	9.4
New Hospital Area:	5.6
ASB II Area:	3.7
Remaining Old Peter Bent Hospital Area-1:	2.1*
Remaining Old Peter Bent Hospital Area-2:	1.6*

DEVELOPMENT IMPACT PROJECT EXACTION:

ASB II and the GARAGE/LOBBY will contain approximately 104,451 square feet of F.A.R. floor area, exclusive of accessory parking garage space. Accordingly, the Hospital will be responsible for the payment of a Development Impact Project Exaction in the amount of $22,255, payable in 12 annual installments of $1,854.58, the first payment to be due on the earlier of (i) 24 months after issuance of the first building permit for the project or (ii) the issuance of a Certificate of Occupancy for the first portion of the project to be occupied.

TRAFFIC CIRCULATION:

Vehicular access for dropping off passengers to ASB II and the Lobby will be from Francis Street via a driveway and drop-off plaza as shown on the plan A-2, the Site Plan. Vehicular access to the Garage will be from Francis Street via the same driveway to a single, two-way ramp located on the westerly side of the plaza. Vehicular access to the Research Building will be from Shattuck Street. The main pedestrian and vehicular entrance

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* These figures are approximate only, but in no event will the FAR of the Remaining Old Peter Bent Hospital Area-1 and the Remaining Old Peter Bent Hospital Area-2 combined exceed 1.7.

for the Remaining Old Peter Bent Hospital Area-2 will be at the junction of Huntington Avenue and Francis Street, opposite Brigham Circle. The main vehicular and pedestrian access for the Remaining Old Peter Bent Hospital Area-1 will be from Shattuck Street, Shattuck Street Extension and the New Hospital Area. Vehicular and pedestrian access to the New Hospital Area is from Francis Street.

OFF STREET PARKING: Parking space for staff/employees and patients/visitors at the completion of ASB II and the Garage/Lobby will be available as follows:

Staff/employees (long term parking):		
Mission Park Garage	1,005	(under long term lease to BWH)
On-Site	68	(including 21 spaces on Shattuck Street which may be eliminated in the future)
MASCO Servicenter Garage	130	(provided to BWH on annual basis)
Patients/visitors (turnover parking):		
MASCO Servicenter Garage	400	(minimum kept available by MASCO for the general public)
New Garage	240±	(to be used by Hospital employees only druing off-peak hours)
New Hospital Area	45	

OFF-STREET LOADING: Materials handling for the New Hospital Area, ASB II and Garage/Lobby, the Research Building, and the existing buildings on the Remaining Old Peter Bent Hospital Areas is to be at the MASCO Servicenter, at the southwest corner of Francis and Binney Streets, which is connected with the New Hospital Area by a passageway under the intersection. In addition, two off-street loading bays are located in the Research Building.

ZONING EXCEPTIONS:

USE- Assessory parking is a conditional use because the PDA is within a restricted parking district.

FLOOR AREA RATIO-	Permitted: PDA as a whole, 3.5 (as per Exceptions granted in BZC-5580 BZC-5582, BZC-5583)
	Proposed, after construction of ASB II and the Garage/Lobby: PDA as a whole, 3.7
FRONT YARDS-	Required: 15 ft.
	Provided: Francis Street, ASB II, ± 1 ft. Garage/Lobby, ± 0 ft.
OFF STREET LOADING-	Required: 10 bays. Provided: 2 bays. Special exception for 6 bays granted in 1976 for the New Hospital Area and for 1 bay in the Research Building Area in 1982. Therefore, the deficiency is 1 bay.
SIGNS-	Permitted: No more than three name signs or entrance markers not exceeding 20 square feet in area.
	Proposed: One sign on pylon approximately 4 feet wide and 12 feet high identifying the ASB II facility. Appropriate signs on plaza in front of Lobby to direct traffic flow and indicate Garage entrance.
	The financing of the ASB II and the Garage/Lobby may require mortgage or ownership of ASB II and the Garage/Lobby as a single, contained unit, separate from BWH's other buildings and, accordingly, BWH has requested that separate lots be recognized. If a separate lot is created for ASB II and the Garage/Lobby, the following additional deviations result, as more particularly described on Exhibit A of the proposed amendment:
USE-	Any use on a lot adjacent to, but in the same district as, the other uses to be included to which it is ancillary and ordinarily incident to and for which it would be a lawful accessory use if it were on the same lot (including a coffee shop or cafe for staff and visitors and accessory parking) is a conditional use.

	No accessory use may be located within a required side yard. The coffee shop or cafe will be in the portion of the LOBBY which encroaches on the easterly side yard of the ASB II area.
F.A.R.:	ASB II Area - 3.7.
FRONT YARDS-	On both sides of boundaries between ASB II Area and Remaining Old Peter Bent Hospital Area-1.
SIDE YARDS-	Yard of existing building to the east of ASB II. Yard of LOBBY to the easterly boundary of ASB II Area. Yard of Research Building on westerly boundary of Research Building Area.
REAR YARDS-	The LOBBY and the existing buildings on the Remaining Old Peter Bent Hospital Area-1.
PARAPET SETBACKS-	On both sides of northerly line of ASB II Area, the westerly side of the existing Medical Research Building, and the westerly side of the Research Building.
OFF-STREET LOADING-	Violations on all three lots (ASB II Area, Remaining Old Peter Bent Hospital Area-1, Remaining Old Peter Bent Hospital Area-2).

[NB - Reduced copies of Plan A-1 (Aerial Perspective of Ambulatory II and Garage) and Plan A-2 (Ambulatory II Garage Campus Site Plan) are attached.]

BOSTON REDEVELOPMENT AUTHORITY

By: _____
Stephen Coyle, Director
Hereunto duly authorized

Approved as to Form:

_____
General Counsel
Boston Redevelopment Authority

AMENDMENT TO THE COOPERATION AGREEMENT

For Planned Development Area No. 10

Bounded Southerly by Huntington Avenue and Francis Street, Westerly by Binney Street, Northerly by Land of Dana Farber Cancer Institute, Inc., and of The Children's Hospital Corporation and by Shattuck Street, and Easterly by Land of President and Fellows of Harvard College,
Boston, Massachusetts

AGREEMENT made this day of , 1985, by and between the BOSTON REDEVELOPMENT AUTHORITY ("Authority") and THE BRIGHAM AND WOMEN'S HOSPITAL, INC. ("BWH"),

WITNESSETH THAT:

WHEREAS, The Authority is responsible, pursuant to Section 3-1A of the Boston Zoning Code, for the review of development proposals seeking Planned Development Area status and for supervision of developments which are approved for and granted such status by the Authority and the Boston Zoning Commission respectively; and

WHEREAS, The Authority at its meeting on October 21, 1976, voted to approve the proposal of AFFILIATED HOSPITALS CENTER, INC. (AHC) (whose name was changed to THE BRIGHAM AND WOMEN'S HOSPITAL, INC. on October 1, 1980) presented at a public hearing on October 6, 1976, and to recommend that the area involved be designated as a Planned Development Area (PDA);

WHEREAS, A Development Plan for Planned Development Area No. 10 (the "Development Plan") was approved after notice and public hearing by vote of the Authority at its meeting on October 21, 1976;

WHEREAS, AHC and the Authority executed a Cooperation Agreement dated October 22, 1976 regarding obligations of the parties for development in the PDA under said Plan;

WHEREAS, Development in the New Hospital Area of the PDA has been completed;

WHEREAS, On January 21, 1982, the Authority by vote at its meeting on January 21, 1982, approved after notice and public hearing on January 7, 1982, an Amendment to the Development Plan (the "1982 Amendment"), (1) to straighten the division line between the New Hospital Area and the Old Peter Bent Area by removing the jog near Francis Street, (2) to create two new lots in the Old Peter Bent Area to be known as the "ASB II Area" and the "Research Building Area", with the remainder of the Old Peter Bent Area to be known as the "Remaining Old Peter Bent Area", and (3) to permit the construction of two new buildings in the Old Peter Bent Area, namely an ambulatory services building to be erected adjacent to ASB I, with access via Francis Street, and the Research Building to be constructed to the northeast of the ambulatory services building;

WHEREAS, the Zoning Commission by vote at its meeting on February 23, 1982, approved after notice and public hearing on February 5, 1982, the 1982 Amendment;

WHEREAS, Construction of the Research Building is expected to be completed early in 1985 and Wards C, D and E have been mostly demolished in connection with the Project;

WHEREAS, BWH did not commence construction of the original ambulatory services building as contemplated and the exceptions for it granted by the Board of Appeal in 1982 have lapsed; and

WHEREAS, BWH wishes to construct a redesigned ambulatory services building ("ASB II"), together with an atrium, entrance lobby and 240± underground parking garage to serve patients and visitors and for employees' use during off-peak hours only ("Garage/Lobby") (ASB II and the Garage/Lobby being referred to as the "Project" below).

Now therefore, in consideration of the mutual covenants and agreements herein contained, the parties hereby amend the Cooperation Agreement as follows:

1. The Authority will petition the Zoning Commission of the City of Boston on behalf of BWH to approve the Second Amendment to and Restatement of the Development Plan (defined below).

2. BWH will cause the PDA to be developed and maintained in accordance with the Development Impact Project Plan and the Second Amendment to and Restatement of the Development Plan approved after notice and public hearing by vote of the Authority at its meeting held on , 1985. A certified copy of said vote is attached hereto as Exhibit A together with a copy of the Development Impact Project Plan and the Second Amendment to and Restatement of the Development Plan (the "Second Amendment"). The terms of the Second Amendment are made a part of this Amendment to the Cooperation Agreement. Further development within the PDA not authorized by the Second Amendment must be approved as a further amendment to the Development Plan in the same manner as the Development Plan was originally adopted.

The remaining provisions of this Amendment to the Cooperation Agreement shall, except as the contrary is clearly intended, relate only to the development to be carried on in the ASB II Area (as defined in the Second Amendment).

3. BWH has contracted with Kaplan/McLaughlin/Diaz, 222 Vallejo Street, San Francisco, California, as Project Architect and Tsoi/Kobus & Associates, 44 Brattle Street, Cambridge, Massachusetts, as Collaborating Architect, (together the "Architect") to provide the drawings and specifications for the project described in the Second Amendment and to furnish customary architect's services during construction.

BWH represents to the Authority that the Architect has submitted the plans and specifications under that contract which are preliminary to preparation and submission for approval of Design Development Drawings and Specifications and that the Architect is now authorized by BWH to proceed with the preparation of Design Development Drawings and Specifications. These drawings and specifications will be based upon the State Building Code now in effect in the City of Boston.

4. The Authority acknowledges that BWH has heretofore by the submission of Schematic Design drawings for the Project, and by the signing hereof will have satisfied the first stage of submissions required by the Authority's Design Review Process (as defined below). The Architect's drawings for the Project referred to in paragraph 4 of the "List of Plans" in the Second Amendment have been subjected to the Design Review Process and approved by the Authority.

5. The Design Review Process to be observed by the parties from and after of this agreement shall be as set forth in "Design Review Procedures - Development Approval Process - Boston Redevelopment Authority - 1984" (the "Design Review Process"). Capitalized terms used and not defined herein shall have the meanings ascribed to them in the Design Review Process.

6. Throughout the Design Review Process, it is BWH's responsibility to promptly notify the Authority of proposed changes to public areas visible from the exterior of ASB II or the Garage/Lobby, to open spaces and landscaping of ASB II and the Garage/Lobby and to exterior features of ASB II and the Garage/Lobby from previously approved submissions (other than refinements of detail generally consistent with such previously approved submissions), and to obtain approval from the Authority prior to incorporating them into the drawings and specifications for ASB II and the Garage/Lobby.

7. The Authority will review and act upon such notice of changes and submissions made in accordance with the final three stages of the Design Review Process in the manner and for the purposes aforesaid. If the Authority finds that any such change or submission is inconsistent with prior submissions or any such submission is not sufficient, it shall notify BWH and its Architect of the respects in which the same is deemed to be inconsistent or insufficient. If the Authority finds that a change or submission is consistent with the Second Amendment, it shall so notify BWH and indicate the same on the submission. The Authority shall perform its functions under

this Amendment to the Cooperation Agreement promptly and with all reasonable dispatch and shall use its best efforts to notify BWH of its approval or disapproval (i) of such changes within three (3) business days after receipt thereof and (ii) of such submissions within ten (10) business days after receipt thereof.

8. Once Contract Documents for the Project have been approved, the only further submissions to be made by BWH to the Authority for review hereunder will be any requests for Change Orders in the construction of those items subject to Design Review Process that are considered to be substantial and would thus require further Authority review to determine their consistency with the Second Amendment, which differ from or were not fully described in the Working Drawings, and which constitute changes to public areas visible from the exterior of the ASB II or the Garage/Lobby, to open spaces and landscaping of ASB II or the Garage/Lobby, and to the exterior of ASB II or the Garage/Lobby. The Authority shall perform its functions under this provision promptly and will all reasonable dispatch, and shall use its best efforts to notify BWH of its approval or disapproval of such submissions within five (5) business days after receipt thereof.

9. Based on information received from its advisers, BWH estimates that excavation and foundation work for ASB II and the Garage/Lobby will be completed in the late Spring of 1985, and that construction in accordance with the Second Amendment will require approximately twenty-two months from commencement

of excavation. Accordingly, BWH expects that construction of ASB II and the Garage/Lobby will be completed, and the same will be fully occupied, on or about December 15, 1986. The foregoing projections are subject to delay or abandonment because of intervening circumstances. One such circumstance would be problems arising in connection with the financing of the structures. Delay or abandonment of ASB II and the Garage/Lobby, if such should occur, would not be deemed to impair the zoning status of other parts of the PDA and the buildings thereon; provided, however, a further amendment to the Development Plan as amended by the Second Amendment would be required for construction of ASB II without the Garage/Lobby, or for construction of the Garage/Lobby without ASB II.

10. The Authority will informally advise BWH concerning, and will actively cooperate with and publicly support, BWH's efforts to obtain from the Board of Appeal of the City of Boston all exceptions, and other departures from the normal application of the Zoning Code to the Second Amendment and the drawings and specifications therefor which may be necessary in order to obtain issuance of all required permits. The Authority further agrees that, upon request by BWH, the Authority shall provide any and all certifications as may be required by the Boston Zoning Code and other applicable statutes and ordinances that the plans, drawings and specifications for the Project have been subject to Design Review and that the same are consistent with the Second Amendment.

11. With respect to the parking facilities described in paragraph F4 of the Second Amendment (in the MASCO Servicenter), BWH agrees to make available to its employees and staff no more than 130 spaces, unless the Authority shall authorize a higher number. Paragraph 9 of the Cooperation Agreement as executed October 22, 1976 is hereby superseded by this Paragraph 11.

12. BWH is pledged to a good faith effort to arrange its planning so that other future changes, if any, in the PDA will result in an overall F.A.R. for the entire PDA of not in excess of 3.0.

13. Except as amended and modified above by this Amendment to the Cooperation Agreement, the Cooperation Agreement is in full force and effect.

IN WITNESS WHEREOF the parties have caused this instrument to be executed in their behalf by their respective officers thereunto duly authorized as of the day and year first above set forth.

BOSTON REDEVELOPMENT AUTHORITY

By: _____

Director

THE BRIGHAM AND WOMEN'S HOSPITAL, INC.

By: _____

Title

APPROVED AS TO FORM

_____

Assistant General Counsel

8505:3 - 036

Brigham and Women's Hospital

A Teaching Affiliate of Harvard Medical School
10 Vining Street, Boston, Massachusetts 02115
(617) 732-5940

DEBP
MCGANN
BOURQUE
[illegible]

May 3, 1985

JOHN MCGONAGLE
DIRECTOR
OFFICE OF COMMUNITY HEALTH
AMBULATORY AND COMMUNITY
HEALTH SERVICES

RECEIVED
MAY 3 1985
BOSTON REDEVELOPMENT AUTHORITY
OFFICE OF THE DIRECTOR

Mr. Stephen Coyle, Director
Boston Redevelopment Authority
Boston City Hall
Boston, MA 02201

Dear Mr. Coyle:

As per your request at our meeting yesterday, I have prepared for you a brief synopsis of our hospital's support for the Mission Hill community.

1. The hospital supports two (2) neighborhood health centers, (Brookside Family Health Center and Southern Jamaica Plain Health Center).

2. The hospital provided the start-up funds for the Family Practice Center, a medical clinic located in Mission Hill.

3. The hospital donated three (3) three-family houses to the Restoration Housing Corporation. These homes are located on both Francis Street and Fenwood Road, in Mission Hill.

4. The hospital has worked cooperatively with the Mission Hill Planning Commission and Mission Hill Neighborhood Housing Services for the development of the hospital owned property at 706 Huntington Avenue. Recently, the hospital provided Mission Hill Neighborhood Housing Services with a two year option to purchase agreement. This property has been assessed by the City as having a value of approximately $800,000.

5. The hospital helped to found the Longwood Medical Area/Mission Hill Food Project. This is a consortium of area hospitals and schools working with community groups to address the need of emergency food supplies for Mission Hill and Fenway neighborhood residents.

6. The hospital provides annually, fall flu shots for many Mission Hill residents, especially senior citizens and chronically ill individuals.

7. The hospital will soon begin a discount meals program for Mission Hill senior citizens.

8. The hospital provides for free a nurse practitioner to visit several neighborhood developments.

9. The hospital established a free school health service at Mission Church High School, which is staffed by a nurse practitioner. We are completing our fifth year at this site.

10. The hospital, in conjunction with Roxbury Tenants of Harvard, recently began a hospital-based Alcoholics Anonymous Group for Mission Hill residents.

11. The hospital worked closely with several Mission Hill groups, and the City's Department of Traffic and Parking to help design and implement the Mission Hill Resident Sticker Parking Program.

12. The hospital annually provides approximately 8 million dollars in free care health services to Boston residents. This figure exceeds the amount provided by any other private hospital in the State and also exceeds the dollar amount paid annually in property taxes by any Boston-based corporation.

13. The hospital employs approximately 3,500 Boston area residents - 700 of whom live in the Mission Hill area.

I hope this summary is helpful to you. If I can be of any further assistance, please call. Thank you for your time and assistance on May 2.

Sincerely,

John McGonagle

John McGonagle
Director
Office of Community Health

JMcG/jmf

cc: John Cupples
Larry Koff

THE BRIGHAM AND WOMEN'S HOSPITAL, INC. ("BWH")

Development Impact Project Plan and
Second Amendment To and
Restatement of Development Plan
for Planned Development Area No. 10

("Second Amendment")

Brigham and Women's Ambulatory Services Building II ("ASB II")
and
Parking Garage, Entrance Lobby
and Atrium (together, the "GARAGE/LOBBY")

Exhibit A

ZONING DESCRIPTIONS AND CALCULATIONS

ASB II AND GARAGE/LOBBY

Use Items; Table A, Section 8-7, (all allowed, except #72 Conditional.), H-3-D Subdistrict	#22. Hospital; clinic or professional offices accessory to a hospital. (See description of uses in Second Amendment.) Custodial care will not be provided for for drug addicts, alcoholics or mentally deficient persons.
	#24. Scientific research and teaching laboratories not conducted for profit and accessory to Use Item 22. The provisos about cinders, etc., noise and vibration are satisfied.
Accessory Use:	#72. Parking for patients, visitors and employees, accessory to above main uses. Conditional use, because in restricted parking district. The proviso in Use Item 72 is inapplicable because the spaces are not accessory to a dwelling use.
Accessory Use:	#79. Accessory uses for hospital with more than fifty beds. All uses under this item are incidental uses and services ordinarily found in

connection with the hospital and primarily for the patients and the hospital staff and will be conducted wholly within a building and entered solely from within the building or from an entrance not directly facing a street or lot line where there is more than one building on the lot. The uses under this item will include, without limiting the foregoing, a coffee shop or cafe (for staff and visitors).

Accessory Use: #85 Any use ancillary to, and ordinarily incident to, the other uses to be included.

Accessory Uses comply with Article 10.

Signs: One sign on a pylon approximately 4 feet wide and 12 feet high identifying the ASB II facility is to be located in front of the 6-story Medical Research Building on the Remaining Old Peter Bent Hospital Area-2 so as to be visible from Francis Street. Appropriate signs are to be located in the plaza in front of the Lobby to direct traffic flow and indicate the entrance to the Garage. Accordingly, Section 11-1 of the Zoning Code will be violated.

See Note 7 - Below Regarding Use Violations Caused By Creation of Separate Lots .

Dimensional Requirements. Article 13-1. See Note 1.

Article and Section	Required by Code	ASB II	GARAGE/LOBBY
14-1 Min. Lot Size	None	-	-
14-2 Min. Lot Area for Add' Dwelling Units	None	-	-

Article and Section	Required by Code	ASB II	GARAGE/LOBBY
14-1 plus 14-2 Total Lot Size	None	-	-
14-3, 14-4 Min. Lot Width	None	-	-
14-5 Bldg. on Rear of Lot	5' Access to Street	Not applicable	Not applicable
Art. 15 Max. Floor Area Ratio	3.0	See Attached Memorandum	See Attached Memorandum
Art. 16 Max. Height of Building	None	-	-
Art. 17 Usable Open Space Per Dwelling Unit	None	-	-
Art. 18 and 18-2 Min. Front Yard (to Francis St.)	15'	1'± See Below Note 2	0 ± See Below Note 2
Art. 18-1 and 18-2 and 20-7, Min. Front Yard (to Shattuck Street). See Note 2.	15'	Not Applicable Because Garage/Lobby Intervenes	110'± See Below Note 2
Art. 19 Min. Side Yard			
Westerly	20' (maximum)	447'±	457'±
Easterly	20' (maximum)	535'±	391'±
	See Below Note 3	See Below Note 3	See Below Note 3

Article and Section	Required by Code	ASB II	GARAGE/LOBBY
Art. 20 Min. Rear Yard	Front yard requirements apply. See Note 2		
Art. 21 Min. Setback of Parapet	$\frac{H+L'}{6}$	See Below Note 4	See Below Note 4
Art. 20-2 Max. Use of Rear Yard	35%	Not applicable	Not applicable
Art. 23 Off-Street Parking	None. PDA is within Restricted Parking District	See Below Note 5	See Below Note 5
Art. 24 Off-Street Loading	Four	0 Provided See Below Note 6	0 Provided See Below Note 6

See Note 7 - Below Regarding Additional Violations Caused By Creation of Separate Lots

Note 1. The City of Boston holds a surface easement in the ten-foot wide (maximum) strip to the north of the PDA boundary line beginning along Francis Street as shown on the Plan A-3. The line of the surface easement is projected to Brigham Circle so that extension of the surface easement to Brigham Circle will not be precluded in the future. Because the City holds the surface easement described above, the front yard has to be measured to the surface easement taking line, by virtue of the definitions of "street" and "street line", Sections 2-1 (44) and (45).

Note 2. Front Yard:

ASB II

Level 1 is not entirely below grade. Accordingly, it is assumed that that is the front of the building. That is one foot ± (minimum) from the widened street line. The requirement is 15 feet and there is a violation.

Violation

GARAGE/LOBBY

The ceiling of Level A of the GARAGE is not entirely below the mean grade of the portion of Francis Street in front of the GARAGE. Accordingly, it is assumed that that is the front of the GARAGE. This is 0 feet from Francis Street (as widened by the surface easement taking). The requirement is 15 feet and there is a violation. In addition, plantings may exceed 5 feet.

Violation

The entrance lobby and atrium (together the "LOBBY") are 130 feet ± from Francis Street (as widened by the surface easement taking) and thus adequate front yard requirements are met with respect to Francis Street.

With Shattuck Street as a "street", then under Sections 18-4 and 20-7 front yard requirements (15') apply. The distance from the GARAGE/LOBBY to the southerly line of Shattuck Street is 110'± and complies.

Note 3. Side Yard:

Pursuant to Section 2-1 (30) BWH elects the Francis Street line as the front lot line. The westerly side lot line is shown as the "PDA Boundary Line" along Binney Street. The easterly side lot line is the line shown as "PDA Boundary Line" leading off the intersection of Huntington Avenue and Francis Street, on the A-2 Ambulatory II/Garage Campus Site Plan.

ASB II

On both the westerly and easterly side lines, the maximum required yard is

20' (under Section 19-4) and 447'± and 535'± are provided, respectively.

GARAGE/LOBBY

The same requirements govern as to the GARAGE/LOBBY. The GARAGE/LOBBY is 457'± from the westerly sideline and 391'± from the easterly sideline and complies.

Note 4. Parapet:

ASB II

Mean Grade = 49.81' (Mean elevation of the portion of the Francis Street sidewalk in front of ASB II, as required under the definition of "grade", Sec. 2-1(22)).

H = 37.17' to top of parapet from mean grade of building. Additional height of penthouse can be ignored, under the definition of "Height of building", Section 2-1 (23), since the penthouse is a roof structure and not devoted to human occupancy.

"Free Height" Height below which no setback is required, under Section 21-2. As to setback from Francis Street and rear setback, free height is 25' (combined height of first and second story above mean grade, counting Level 2 as the first story, exceeds 25' so 25' is the free height under Section 21-2 (a) (2)). As to setback from the east and west lot lines, free height is 70' under Section 21-2 (b).

Southerly Setback (towards Francis Street)

L' = 140' on the southerly side

H = 37.17 - 25 (free height) = 12.17

$$\frac{12.17 + 140}{6} = \frac{152.17}{6} = 25.36 = 26$$

$$\begin{array}{r} 26 \\ -30 \\ \hline 0 \end{array}$$

(1/2 width of portion Francis Street in front of ASB II, a public open space, per Section 21-1)

0' required,
2'± provided.
Complies.

Easterly and Westerly Setbacks

Both comply. Because H = 37.17' and the free height is 70' (per 21-2(b)), no set-back is required. If front setback requirements is in effect under Section 19-6 of the Zoning Code, approximately 13' is required, and 447± provided to the west and 108'± provided to the east.

Northerly Setback (towards Shattuck Street)

Inapplicable because Lobby intervenes

GARAGE/LOBBY

Mean Grade = 50.31' (Mean elevation of the portion of the Francis Street sidewalk in front of the GARAGE/LOBBY, as required under the definition of "grade", Sec. 2-1(22)).

H = 36.67' to the top of the parapet of the Lobby from mean grade of building.

"Free Height" Height below which no setback is required, under Section 21-2. As to setback from Francis and Shattuck Street, free height is 25' (height of first story above mean grade exceeds 25' so 25' is the free height under Section 21-2(a)(2)). As to setback from the westerly and easterly lot lines, free height is 70', under Section 21-2(b).

Southerly Setback (towards Francis Street)

Garage

The Garage does not extend above Free Height so no setback is required.

Lobby

H = 36.67- 25 (free height) = 11.67

L' = 257.5' on the southerly side

$$\frac{11.67 + 257.5'}{6} = \frac{269.17}{6} = 44.86 = 45$$

45
-25 (1/2 width of portion Francis Street in front of Garage/Lobby, a public open space)
20

20' required,
130' provided.
Complies.

Northerly Setback (towards Shattuck Street)

Garage

The Garage does not extend above the Free Height so no setback is required.

Lobby

Same requirement as for southerly set-back.

20' required,
110' provided.
Complies.

Easterly and Westerly Setbacks

Garage

The Garage is located entirely below grade with respect to these lot lines so no setback is required.

Lobby

Both comply. Because H = 36.67' and the Free Height is 70' (per 21-2(b)), no setback is required. (If front setback requirements are in effect under Section 19-6 of the Zoning code, approximately 7' is required and 391'± provided to the west and 457'± provided to the east.)

Note 5. Off-Street Parking:

Approximately 70 spaces will be removed from the Old Peter Bent Area because of construction of ASB II and the GARAGE/LOBBY. Two on-street will be removed due to the curb cut on Francis Street. Other on-street parking spaces may be eliminated by the City to improve traffic flow on Francis Street. 240± parking spaces for automobiles and parking for motorcycles and bicycles will be provided in the GARAGE for visitors and patients and for employees in off-peak hours only. Parking is also available in the nearby Mission Park Garage and Masco Servicenter, as well as underneath and adjacent to the New Hospital, on Shattuck Street (which spaces may be reduced or eliminated in the future), and adjacent to the Peter Bent Brigham Hospital. There are approximately 17 short-term parking spaces in the New Hospital Area in addition to the 38 spaces approved in 1976. 12 spaces (including 4 spaces for handicapped parkers) are provided in the area shown as "taxi-stand-6 cabs" on the plan approved in 1976 and labelled BRA-1. Finally, 8-10 emergency parking spaces are provided in the area shown as "taxi-stand-6 cabs" to the east of the Hospital bed towers, rather than the 4 emergency parking spaces shown on the plan labelled BRA-1.

Because the PDA is in a Restricted Parking District, no off-street parking facilities are required; rather, any newly created spaces are a conditional use, requiring PDA special exceptions.

Violation

Note 6. Off-Street Loading:

ASB II is to be a maximum of 89,114 square feet of F.A.R. gross floor area. The LOBBY will contain a maximum of 15,337 square feet of F.A.R. gross floor area. The Garage

being Use Item 72, requires no off-street loading. The square footage of gross floor area of post-1964 construction on the Old Peter Bent Area, at the time the original PDA application was submitted, was 73,705 square feet. Since then, there have been three new constructions on the Old Peter Bent Area, a Cath Scanner Building, 1,400 square feet, an addition thereto, 1,450 square feet, and the Research Building, 152,650 square feet, making 229,205 square feet of post-1964 construction on the Old Peter Bent Area. When that is added to the F.A.R. square footages of ASB II and the LOBBY, the total of post 1964 construction, actual and involved herein, is 333,656 F.A.R. square feet. To that should be added the pre-1964 square footage on the Old Peter Bent Area, 238,017 (since the two bays located therein were removed) and the New Hospital area square footage 724,252, making a total of 1,295,925 F.A.R. square feet. Subtracting demolitions (4000± in 1982 and 54,324±, Wards C, D and E), leaves 1,237,501 F.A.R. square feet, requiring 10 loading bays, per Sec. 24-1 (Group II uses). An exception for 6 bays was granted in 1976 for the New Hospital Area and for 1 bay for the Research Building Area in 1982. There are 2 bays in the Research Building (serving the Research Building Area only). The deficiency is thus 1 bay.

Violation

The MASCO Servicenter provides materials handling for the Research Building and the buildings in the Remaining Old Peter Bent Hospital Areas and will provide materials handling for ASB II and the Garage/Lobby.

Note 7.

BWH wishes to be able to mortgage ASB II and the GARAGE/LOBBY separately from the Remaining Old Peter Bent Hospital Areas and the Research Building Area. To do this, the existing subdivision of the Old Peter

Bent Area into three lots (ASB II Area, Remaining Old Peter Bent Area, and Research Building Area) must be altered. An enlarged ASB II Area will abut the Research Building Area causing the Remaining Old Peter Bent Area (slightly altered) to consist of two lots. Accordingly, the lot areas are as follows:

	Existing	New
New Hospital Area	129,911	129,911
	Existing	**New**
Old Peter Bent Area	232,815	232,815
- Research Building Area	16,538±	16,242±
- ASB II Area	39,384±	51,873±
- Remaining Old Peter Bent Area	176,882±	N/A
- Remaining Old Peter Bent Hospital Area-1*	N/A	34,029±
- Remaining Old Peter Bent Hospital Area-2**	N/A	130,671±
Entire PDA	362,726	362,726

The new ASB II Area is shown by a dashed line on A-3 Plan and is more fully described in Appendix 3. It is bounded on the south by Francis Street, on the west by the New Hospital Area, on the north by the Remaining Old Peter Bent Hospital Area-1 and on the east by the Remaining Old Peter Bent Hospital Area-2 and in part by the Research Building Area.

The Research Building Area as altered is shown by a dashed line on the A-3 Plan and is more fully described in Appendix 4. It is bounded on the north by Shattuck Street, on the east by the Remaining Old Peter Bent Hospital Area-2, on the south by the

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* North of ASB II Area
** South of Research Building Area

Remaining Old Peter Bent Area-2 and on the west by the Remaining Old Peter Bent Hospital Area-1 and in part by the ASB II Area.

The balance of the "Old Peter Bent Area" remaining after the deduction of the enlarged ASB II Area and the Research Building Area is split into two lots, one labelled the "Remaining Old Peter Bent Hospital Area-1", which is bounded on the south by the ASB II Area, on the east by the Research Building Area, on the north by Shattuck Street and on the west by the New Hospital Area, and the other labelled "Remaining Old Peter Bent Hospital Area-2", which is the part of the PDA to be east of the Research Building and ASB II Areas. These areas are shown on the A-2 and A-3 Plans and are more fully described in Appendices 5 and 6, respectively.

Adjustment of the existing subdivision of the Old Peter Bent Area from three separate lots into four separate lots produces the following additional violations (since each lot must be considered by itself):

Use Violations. Table A, Section 8-7, Use Items 71, 72, and 79. Any use on a lot adjacent to, or across the street from, but in the same district as, the other uses to which it is ancillary and ordinarily incident to and for which it would be a lawful accessory use if it were on the same lot (including uses under Use Items 72 and 79) is conditional. Accordingly, an exception is required for the ASB II Area to allow the coffee shop in the LOBBY and parking to be accessory to the main uses on the other three areas.

In residential districts no accessory use may occupy any part of the required side yards under Section 10-1. The coffee shop or cafe will be in that portion of the LOBBY which encroaches on the easterly side yard of the ASB II Area.

Front Yard Violations. The "Remaining Old Peter Bent Hospital Area-1" may be a rear lot under Sec. 18-1, in reference to the ASB II Area. Conversely, if Shattuck Street is a front street under Sec. 18-4, the ASB II Area may be a rear lot in reference to the Remaining Old Peter Bent Hospital Area-1. Looked at from both perspectives, the buildings on the other side of the boundary line between the ASB II Area and the Remaining Old Peter Bent Hospital Area-1 are too close to that boundary line, creating two front yard violations.

Side Yard Violations. Creation of the new ASB II Area puts the 6-story Medical Research Building on the Remaining Old Peter Bent Hospital Area-2 into violation, along all but 85' of the ASB II Area eastern boundary line; 20' (maximum) is required and 6'± provided. In addition, there is an above-grade intake air grille serving the Garage in the required side yard of the Medical Research Building.

Creation of the ASB II Area also results in a side yard violation by the LOBBY along the eastern boundary of the ASB II Area (20' (maximum) is required and 6'± (minimum) are provided). In addition, plantings may exceed 6 feet.

No side yard is required along the westerly boundary of the ASB II Area because ASB I abuts ASB II along the line, and Section 19-4 of the Zoning Code applies.

Shifting the lot line which divides the Research Building Area from the ASB II Area results in a side yard violation by the Research Building along the westerly lot line of the Research Building Area. (20' (maximum) is required and 3'± are provided along the portion of the lot line being shifted. Previously the Research Building was 7'± from this

portion of the side lot line). (In 1982 a special exception was granted for side yard violations of the existing buildings on both sides of the Research Building Area. Alteration of the Research Building Area does not create any new violations with respect to such buildings.)

Rear Yard Violations. Creation of the new ASB II Area puts the LOBBY and the buildings on Remaining Old Peter Bent Hospital Area-1 into rear yard violations. No rear yards are provided. In 1982 a special exception was granted for rear yard violations on both sides of the southerly boundary of the Research Building Area and alteration of the Research Building Area does not create any new rear yard violations.

Setback Violations. Creating the new ASB II Area as a separate lot means that the existing buildings on the Remaining Old Peter Bent Hospital Area-1 are in setback violation with respect to the ASB II Area northerly line, as no setback is provided.

Similarly, 45'± is required for the LOBBY and 0'± provided with respect to Remaining Old Peter Bent Hospital Area-1.

Similarly a 19'± setback from the ASB II Area easterly line is required for the 6-story Medical Research Building and 6'± provided, with respect to the Remaining Old Peter Bent Hospital Area-2.

On both the east and the west of the ASB II Area, there is no setback required because ASB II is under 70 feet and thus is exempted under Section 21-2(b).

Shifting a portion of the westerly lot line of the Research Building Area reduces the setback of the westerly parapet of the Research Building from that portion of the lot line to a

setback less than that allowed by a special exception granted in 1982.

F.A.R. Violations. Viewed separately, the ASB II Area violates the FAR limit. See the attached memorandum.

Loading Violations

As to off-street loading, there are the following violations:

ASB II Area - 2 bays required, none provided.

Remaining Old Peter Bent Hospital Area-1 - 1 bay required, none provided.

Remaining Old Peter Bent Hospital Area-2 - 3 bays required, none provided.

(Provision was made for the New Hospital and Research Building Areas in 1976 and 1982, respectively, allowing no bays in the former and 2 in the latter.)

MEMORANDUM

MAY 9, 1985
TAKEN UNDER ADVISEMENT: MARCH 21, 1985

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: MARC WEBB, ASSISTANT DIRECTOR
LINDA BOURQUE, DIRECTOR OF ZONING
LARRY KOFF, INSTITUTIONAL PLANNING COORDINATOR

SUBJECT: APPROVAL OF THE BRIGHAM AND WOMEN'S HOSPITAL DEVELOPMENT IMPACT PROJECT PLAN AND THE SECOND AMENDMENT TO PDA DEVELOPMENT PLAN FOR LAND ON FRANCIS STREET IN THE FENWAY

At the March 21, 1985, Board hearing on the Brigham and Women's ASB II and parking garage project, it was voted that a decision be deferred on the PDA amendment and DIP plan until the staff took up to 60 days to meet further with the neighborhood to deal with garage impacts and area-wide traffic and parking issues. On April 10th impacts and mitigating measures were discussed in a large public meeting attended by 80 residents of the Mission Hill, Roxbury Tenants of Harvard/Fenway areas. On April 24th representatives of these neighborhoods, the Hospital and their consultants again met to review a consultant report on the Hospital project and to discuss the need for, and scope of an area-wide traffic study. And on May 2nd the Director met with Councillor Scondras and neighborhood representatives.

It is the opinion of the BRA and City Traffic and Parking Department staff that the ASB II and garage project will have minimal traffic impacts and that the mitigating measures now proposed as a result of these meetings with the Hospital, neighborhood residents and leaders, and MASCO address the local and area-wide traffic and parking concerns. There is considerable interest in the neighborhood about finding solutions to problems of area-wide traffic and institutional expansion. These issues are outside a scope of this particular project and will be addressed by a commitment from MASCO to undertake an area-wide traffic study and a commitment made by the Director that the BRA will work with the neighborhood on resolving area-wide problems of institutional development impacts.

The positive regional impacts of the hospital must be considered. Brigham and Women's hospital provides $6 million dollars of free care to City residents, more than any other hospital with the exception of City Hospital, over 700 local residents are employed by this institution, and the Mission Hill Neighborhood Housing Services recently received a 2 year option to purchase, at no cost, a former hospital nurses residence building at 706 Huntington Avenue. Brigham and Women's Hospital, furthermore, has agreed to amend their PILOT agreement with the City, increasing by two-thirds their annual payment in order to account for the addition of a larger ASB II and garage.

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In consideration of these benefits, the minimal traffic impacts, and the mitigating measures proposed by the hospital and MASCO there appears to be no reason to withhold ASB II consideration on traffic grounds.

Following is a summary of:

1. Traffic impacts as documented by the consultant Vanesse Hangen
2. Mitigating Measures
3. Area-wide traffic improvement projects and study area boundaries
4. Listing of Brigham and Women contributions to the community

1. Traffic Impacts

o The current plan was considered to be the best solution by neighborhood representatives, the Boston Traffic and Parking Department and the hospital after reviewing many different access plans.

o The majority of the parking provided by the project is replacement parking at a convenient location for hospital patients and visitors including the handicapped.

o The garage will reduce the amount of traffic circulating in the area looking for parking. It will also reduce congestion at Brigham and Women's existing main entry.

o Peak use periods of the garage will be different from the commuter peaks with no more than a 3% increase in peak hour volumes at adjacent intersections.

o Secretary James S. Hoyte of the Executive Office of Environmental Affairs concluded that "there will be no observable change in peak hour level of service at Brigham Circle, along Francis Street, or at Brookline Avenue."

In addition, a letter from John Couples, Vice President of Brigham and Women's Hospital commits the Hospital to carrying out the following mitigating measures:

2. Brigham and Women's Hospital Garage Impact Mitigating Measures:

o The ASB II driveway will be located as close to St. Alban's Road as possible to create a simple four way intersection.

o The garage will be entirely underground to minimize visual impacts on the neighborhood. Considerable landscaping will also be provided along Francis Street.

o Garage use will be limited to patients and visitors during normal business hours.

o No new physicians or services are to be offered as part of ASB II.

o The hospital has consented to transfer ownership of a 10 foot wide surface strip adjacent to Francis Street to allow the City to widen in the future, if necessary. The hospital would be financially responsible for this widening as has been previously agreed.

o The hospital has also agreed to provide police office traffic control at ASB II during peak periods if necessary.

o Brigham and Women's will support the City's efforts to increase enforcement of the area's parking regulations, particularly the neighborhood parking programs. the hospital will provide funding to assist the City's efforts to increase enforcement.

The hospital will support the City as follows:

o The City will eliminate 24 metered parking spaces on the hospital's side of Francis Street between ASB II and Brigham Circle.

o Francis Street will be restriped to clearly define two 12 foot wide travel lanes (one per direction) and one nine foot wide parking lane on the residential side of Francis Street.

3. Area-Wide Traffic and Parking Study:

The neighborhood concern that an area-wide traffic and parking study be undertaken has likewise been addressed. MASCO has committed to prepare a scope of services and undertake a study in cooperation with the City and Mission Hill/Fenway neighborhood groups and to review with these groups the scope of this study within the next six weeks. This study will address the following issues within a boundary which extends from Massachusetts Avenue west to the Town of Brookline, north to Kenmore Square and South to Huntington Avenue and Heath Street.

Area-Wide Traffic Study Summary, Preliminary Scope

o Quantification of existing parking and traffic characteristics;

o Projected demand for alternative or additional demands;

o Identification of various alternative measures to meet the future demand, including analysis of future development opportunities which may generate impact on traffic and parking, desirable transit facility improvements, better utilization of existing street networks and parking facilities, construction of new garage and mixed use facilities on underutilized parcels;

o Land use inventory including the size and location of the several types of land use in the study area, the volume of employees, visitors, residents and automobiles both existing and projected;

o Evaluation of alternative measures of accommodating the projected demands and land uses; and

o Recommendations for an implementation program.

4. Listing of Brigham and Women's Hospital Contributions to the Community

o The hospital supports two (2) neighborhood health centers, (Brookside Family Health Center Southern Jamaica Plain Health Center).

o The hospital provided the start-up funds for the Family Practice Center, a medical clinic located in Mission Hill.

o The hospital donated three (3) three-family houses to the Restoration Housing Corporation. These homes are located on both Francis Street and Fenwood Road, in Mission Hill.

o The hospital has worked cooperatively with the Mission Hill Planning Commission and Mission Hill Neighborhood Housing Services for the development of the hospital owned property at 706 Huntington Avenue. Recently, the hospital provided Mission Hill Neighborhood Housing Services with a two year option to purchase agreement. This property has been assessed by the City as having a value of approximately $800,000.

o The hospital helped to found the Longwood Medical Area/Mission Hill Food Project. This is a consortium of area hospitals and schools working with community groups to address the needs of emergency food supplies for Mission Hill and Fenway neighborhood residents.

o The hospital provides annually, fall flu shots for many Mission Hill residents, especially senior citizens and chronically ill individuals.

o The hospital will soon begin a discount meals program for Mission Hill senior citizens.

o The hospital provides for free a nurse practitioner to visit several neighborhood developments.

o The hospital established a free school health service at Mission Church High School, which is staffed by a nurse practitioner. We are completing our fifth year at this site.

o The hospital, in conjunction with Roxbury Tenants of Harvard, recently began a hospital-based Alcoholics Anonymous Group for Mission Hill residents.

o The hospital worked closely with several Mission Hill groups, and the City's Department of Traffic and Parking to help design and implement the Mission Hill Resident Sticker Parking Program.

o The hospital annually provides approximately 8 million dollars in free care health services to Boston residents. This figure exceeds the amount provided by any other private hospital in the State and also exceeds the dollar amount paid annually in property taxes by any Boston-based corporation.

o The hospital employs approximately 3,500 Boston area residents - 700 of whom live in the Mission Hill area.

Brigham and Women's Hospital has summarized the traffic impacts and extensive community review process in the attached notebook.

The history of this project is as follows:

In October, 1976, the Authority approved the Development Plan for Planned Development Area (PDA) No. 10 for the property of The Brigham and Women's Hospital, Inc., on Francis Street, Roxbury. A bed tower, laboratory building and Ambulatory Services Building I were constructed under that plan. In January 1982, the Authority approved an amendment to the PDA Plan to provide for the development of a Research Building which is now under construction and an Ambulatory Services Building II (ASB II).

Brigham and Women's again seeks to amend its PDA Plan to provide for a slightly larger ASB II project with 104,000 square feet devoted to doctor's offices, entrance lobby and atrium, and 77,719 gross square feet devoted to a 240-space underground garage. The garage will serve patients and visitors to ASB II and will replace a surface lot of 70 spaces.

Access to the garage will be restricted to a single driveway off Francis Street opposite St. Albans Street.

In accord with the Development Impact Project Plan and Agreement, Brigham and Women's agree to a Housing Payment Exaction of $22,000 to be paid to the Boston Redevelopment Authority, acting as escrow agent for the Neighborhood Housing Trust, for the development of low and moderate housing in the City.

We recommend that the Director and the Authority approve the attached Development Impact Project Plan and Second Amendment to the Development Plan for Planned Development Area No. 10. Appropriate votes follow.

VOTED: That in connection with the Development Impact Project Plan and the Second Amendment to the Development Plan for Planned Development Area No. 10, presented at a public hearing duly held at the offices of the Authority on March 21, 1985, and after consideration of the evidence presented at that hearing, and the following public informational meetings the Boston Redevelopment Authority finds that said Plan and Second Amendment (1) conform to the general plan for the City of Boston as a whole; (2) contain nothing that will be injurious to the neighborhood or otherwise detrimental to the public welfare; and (3) do adequately and sufficiently satisfy all other criteria and specifications for a Development Impact Project and a Planned Development Area as set forth in the Boston Zoning Code as amended;

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CHILDREN'S ROAD
JIMMY FUND
SHATTUCK STREET
HOSPITAL TOWER
ASB I
ASB II
PLAZA
FRANCIS STREET
EXISTING RESIDENTIAL
AMBULATORY II/GARAGE
Campus Site Plan
A-2
Brigham and Women's Hospital

KAPLAN
McLAUGHLIN
DIAZ

TK&A

Brigham
and
Women's
Hospital